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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, January 9, 1975.

The City Planning Commission met pursuant to notice on Thursday, January 9, 1975, at 1:30 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Virgil Elliott, James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice President.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Peter Groat, Planner IV-Urban Systems Analyst; Wayne Rieke, Planner IV (Zoning); Marie Zeller, Planner III-Administrative; Linda Ferbert, Planner II; Alan Billingsley, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

1:30 P.M. FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:30 p.m. to take a Field Trip to the property to be considered during the Zoning Hearing which was held later in the afternoon.

2:15 P.M. - ROOM 282, CITY HALL

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of November 14 and December 12, 1974, be approved as submitted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that Commissioner Porter is in the hospital recovering from injuries suffered in a fall at her home; and he conveyed her regrets for being unable to attend the meeting.

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The Director advised the Commission that the annual Capital Improvement Program Review, originally scheduled for January 10, has been rescheduled for Friday, January 24, at 9:00 a.m.

The Director informed the Commission that the Board of Supervisors, meeting on Monday, had voted 10-0 to override the Commission and to designate the Atherton House as a Landmark.

The director reported that the application for funds for the proposed Community Development Program is tentatively scheduled to be brought before the Commission on February 20 for environmental review and for a determination as to whether the program is in conformity with the Master Plan. He stated that the Mayor had tentatively scheduled a public hearing on the program to be held on the evening of February 14.

R74.54 - SIDEWALK CHANGES AT MUNI METRO CENTER, OCEAN AND SAN JOSE AVENUES.

Richard Gamble, Planner IV, reported on this matter as follows:

"Muni's car barn and storage yard for the new Metro cars will adjoin the Balboa Park BART station. The site, also bounded by Geneva, San Jose and Ocean Avenues, has been the location of Elkton Shops and Ocean Garage. The new facility will have terminals for the K (Ingleside) and M (Oceanview) street cars adjoining the BART station, a car storage yard in the center of the site, the maintenance shop along San Jose Avenue and a future PUC office building site on the Geneva frontage. There will be a basement parking garage for 127 cars beneath the shops, entered from Ocean Avenue. Vehicular access to the shops is from San Jose Avenue, near Geneva.

"The referral is concerned with the widening of sidewalks from the existing uniform ten feet to widths varying from eleven to 21 feet. Not all of this will be paved, however. A three feet planting strip will adjoin the curb in the 21 feet section. Behind this will be a six feet walk and a twelve feet planted berm backed by a concrete retaining wall approximately five feet high, topped with a 5-1/2 feet picket fence. Decorative pavement and planters are incorporated at the streetcar stop at Ocean and San Jose.

"Narrower sidewalk areas permit provision of turn out lanes for passenger loading on Ocean and San Jose and a right turn lane at Geneva Avenue. In these areas the planting strip narrows to six feet on San Jose and seven and a half feet on Ocean. On street parking is being eliminated on San Jose and Ocean Avenues in order to provide landscaping space, however, the garage beneath the shops provides 2-3 times as many spaces as are being lost for beautification.

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"The Urban Design Plan documents the importance of landscaping and street trees to the provision of a livable neighborhood environment. Screen planting along the San Jose Avenue frontage will enhance the residential area opposite, and on Ocean Avenue it will complement Balboa Park."

Dean L. Macris, Director of Planning, recommended that the proposed sidewalk widths be approved as in conformity with the Master Plan.

After discussion it was moved by Commissioner Rueda, seconded by Commissioner Ritchie, and carried unanimously that the Director be authorized to report that the establishment of official sidewalk widths on Ocean and San Jose Avenues, as shown on Bureau of Engineering drawing Q-20-303, is in conformity with the Master Plan.

CONSIDERATION OF PROPOSED WORK PROGRAM AND BUDGET FOR THE DEPARTMENT OF CITY PLANNING FOR FISCAL YEAR 1975-76.

Dean L. Macris, Director of Planning, noted that the Budget and Personnel Committee of the Commission had previously recommended that the Department's request for funds for systems and data processing services be reduced from \$15,280 to \$10,280 and that the Department's request for funds for professional and special services be reduced from \$25,000 to \$15,000. Since these matters had last been before the Commission for consideration, he had reviewed the Proposed Work Program and Budget and had discussed them with Commissioner Porter, Chairman of the Budget and Personnel Committee; and he indicated that it was his recommendation that the three new permanent positions being requested be deleted, also. The deletions which had been recommended would reduce the proposed Budget from \$1,619,628 to \$1,568,002. The Budget which he was recommending would be \$121,335, or 8.4%, greater than the budget of the Department of City Planning for the current fiscal year. He explained that \$30,405 of the increase in the budget could be attributed to circumstances over which the Commission had no control, that \$25,300 of the increase would be needed for the Residential Zoning Study, that \$8,340 of the increase would be used for rental and purchase of equipment, and that the remainder, or \$57,290, could be attributed to inflation. He remarked that the inflationary factor represented an increase of only 4% over the current budget of the Department of City Planning; and he recommended that the proposed Work Program and budget be adopted.

During the course of the Director's presentation, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Ritchie asked if it were possible that the new positions which had been deleted from the proposed Budget could be acquired with Federal funds. The Director replied that he had explored the possibility of funding the positions through the Public Service Employment Program; and he felt that there was a good chance that the positions could be obtained through that source. If so, the needs of the Department of City Planning would be fulfilled without increasing the local property tax rate.

The following is a list of the lands which have been surveyed and patented by the General Land Office during the year ending June 30, 1890.

The lands are classified as follows: (1) Lands surveyed and patented by the General Land Office; (2) Lands surveyed and patented by the State Land Office; (3) Lands surveyed and patented by the County Land Office.

The following is a list of the lands which have been surveyed and patented by the General Land Office during the year ending June 30, 1890.

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Commissioner Ritchie stated that the deletions which the Director had recommended had overcome the objections which he had previously expressed concerning the proposed budget; and, as a result, he moved that the proposed Work Program and budget be approved. The motion was seconded by Commissioner Rueda.

When the question was called, the Commission voted unanimously to approve the revised Work Program and budget for the next fiscal year.

At 2:45 p.m. President Newman announced a 15 minute recess. The Commission reconvened at 3:00 p.m. and proceeded with hearing of the remainder of the agenda.

CU74.53 - 15 HILL STREET, SOUTH LINE, 85 FEET WEST OF VALENCIA STREET.

Request for authorization for a 9-space parking lot to serve an adjacent bank; in an R-3 District.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and Zoning maps to describe the subject property which has 50 feet of frontage on Hill Street and an area of 5,700 square feet. He stated that the property is presently occupied by a building which contains four dwelling units; and he indicated that the units are occupied by a single person, a couple without children, a couple with two children, and a couple with three children, respectively. He stated that the applicant proposed to replace the apartment building with a nine-space parking lot and an exit driveway to serve the existing bank located at the corner of Valencia and 22nd Streets. The proposed parking lot would connect with an existing parking lot fronting on Valencia Street which has one drive-up banking window. The applicant intended to convert the existing lot to use as three drive-up banking windows, one parking space, and an entrance driveway leading to the proposed parking lot. All vehicles using the parking lot and drive-in facilities would enter from Valencia Street and exit onto Hill Street. In conclusion, Mr. Steele stated that a negative declaration had been issued for the proposed project on November 29, 1974, and had not been appealed.

President Newman stated that several letters and telegrams had been received in opposition to the subject application.

Emmett Callon, a realtor, represented the owner of the subject property. He indicated that his client is 88 years old and that he had owned the property for more than 30 years. He stated that his client receives a total income only slightly more than \$400 a month from the building; and his net income from the property amounts to less than \$2,000 per year. He informed the Commission that the building does not meet current Building Code standards; and, in view of the low amount of income which the building generates, he felt that it would not be feasible to improve the building to meet Code standards. He noted that the subject property represents the first residential use on Hill Street west of Valencia Street; and, as a result, the proposed parking lot would not intrude between two residentially developed properties.

Mr. Steele informed the Commission that he had been advised by the Bureau of Building Inspection that the subject building violates the building code in only three regards: 1) Sprinklers are needed in storage areas; 2) Hand rails are needed on stairways; and 3) Save extension cords, longer than six feet, need to be replaced with permanent wiring.

Roger Chin, representing Hertzka & Knowles, architects for the applicant, stated that the purpose of the proposed project was to add two drive-up banking windows and to increase the amount of off-street parking available from eight spaces to ten spaces. He remarked that customers of the bank are forced to find on-street parking spaces in the vicinity at the present time; and he felt that the proposed project would help to alleviate the parking problem in the subject neighborhood. In conclusion, he indicated that the applicant wished to revise the plans which had been submitted for the proposed project by incorporating in them a proposal for six-foot high redwood fence to provide privacy for the rear yard of the adjacent residential property.

President Newman advised the audience that members of the Commission had taken a field trip to the subject property earlier in the afternoon.

No one else was present in the audience to speak in favor of the subject application.

Mr. Callon assured the Commission that the Hibernia Bank, the applicant, would pursue a very liberal policy concerning dislocation of the existing tenants from the building.

Larry Farage, 73 Hill Street, introduced himself as a spokesman for residents of the neighborhood and submitted pictures of the subject neighborhood, letters in opposition to the subject application, and a petition signed by 92 individuals who were requesting that the application be denied. He described the subject block as a peaceful and quiet residential area which its inhabitants regard as a haven from the surrounding streets which carry a heavy amount of traffic. He remarked that the block provides quality housing for at least 150 people; and he indicated that he knew of additional people who were anxious to move into the area. He noted that approval of the subject application would result in the elimination of four units of family housing; and he emphasized that such housing is badly needed in the Mission District. In fact, the building which presently occupies the subject property has very large units; and rental rates for apartments in the building have been very reasonable. The proposed use would constitute an infringement of a non-residential use into an R-3 District; and it would compound the traffic problems in the neighborhood, adding to the situation which presently exists as a result of the Colonel Sanders Restaurant on the corner. He also remarked that increased traffic would bring additional noise and air pollution to Hill Street. He understood that the goal of the bank was to reduce the amount of traffic congestion on Valencia Street; but he believed that the proposed solution would do nothing more than move the traffic problem to Hill Street. Based on a conservative

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survey, the proposed project would more than double the present traffic usage on Hill Street; and, as a result, the quality of life on the street would be endangered. In conclusion, he stated that a vast majority of the residents of Hill Street felt that the proposed project would have nothing but a negative effect on their neighborhood.

Commissioner Rueda remarked that the R-3 Zoning of the subject property would permit construction of seven dwelling units on the site; and he wondered if the residents of the neighborhood would be willing to accept the demolition of the existing building if it were to be replaced with a seven unit building. Mr. Farage replied that a seven-unit apartment building would be acceptable on the subject site as long as it was in character with the rest of the neighborhood.

Barbara Turner stated that three generations of her family have lived in the subject block; and she informed the Commission that her daughter, a representative of the fourth generation of the family, now has an apartment on the block. She indicated that the Colonel Sanders Restaurant on the corner has introduced enough commercial activities and traffic into the neighborhood; and she stated that she was very definitely opposed to the subject application.

Pauline Traub, 34 Hill Street, stated that she, also, was opposed to the application. She emphasized that Hill Street dead-ends at Guerrero Street, where only right turns are permitted; and she informed the Commission that many people driving west-bound on Hill Street make a U-turn when they reach Guerrero, thus effectively doubling the amount of traffic on the street.

Bob Turner, 28 Hill Street, indicated that property owners on the street had installed new sidewalks and street trees at their own expense; and, in view of the fact that they have demonstrated their willingness to maintain the neighborhood in a proper manner, he did not feel that it would be proper for the City to authorize a commercial use on the street.

David Johnson stated that he has owned property and resided on Hill Street for two and one-half years. He called attention to the fact that a recent Sunday newspaper had offered a walking tour of the Mission District and had depicted and discussed Hill Street; and he felt that the newspaper article had effectively described the quality of the residential neighborhood which he and other individuals in the audience were trying to preserve. He questioned the advisability of permitting a commercial use on the street; and he indicated that he could not understand how such a use would benefit residents of the block. It was apparent that the Hibernia Bank wished to serve its customers better while incurring the least possible expense; and, as a result, residents of Hill Street would have to endure the results of the bank's frugality. A preferable alternative would be for the bank to purchase an adjacent parcel of commercially-zoned property. He noted that the bank already has a driveway from its present parking lot onto 22nd Street; and he felt that it would be

wrong to permit the bank to tear down a residential building for traffic access onto another residential street. In conclusion, he stated that he doubted that Hill Street would have been mentioned in the recent newspaper article if the subject property had already been turned into a parking lot.

Milton Quik, 34 Hill Street, stated that he had noticed a number of residential properties being converted into car washes and other types of facilities for automobiles; and he felt that the Commission should be more concerned about housing for people than about facilities for automobiles.

Earl Moss, representing the Victorian Alliance, remarked that there are 15 beautifully maintained victorian buildings on the subject block which were constructed between 1878 and 1883; and he indicated that those buildings represented one of the largest concentrations of victorian structures mentioned in the Junior League's book, Here Today. Several additional victorian structures in the block had been remodeled; but he had been advised that some of them will be restored if the subject conditional use application is denied. In his opinion, the subject block is quite worthy of being designated as an historic district. He stated that he had surveyed the traffic generated by the existing drive-up window at the bank under routine, mid-week circumstances; and, if the traffic generated by that single window were to be diverted onto Hill Street, he estimated that the traffic on the street would be increased by 300% during the morning, by 92% between 11:00 a.m. and 12 noon, by 10% between 12 noon and 1:00 p.m., by 120% between 1:00 p.m. and 2:00 p.m., by 107% between 2:00 p.m. and 3:00 p.m., and by 33% between 3:00 p.m. and 4:00 p.m. In trying to account for the lower percentage increase of traffic between 3:00 p.m. and 4:00 p.m., he explained that the existing drive-up window had been open for business until 4:00 p.m. for only a short while; and he expected that many people were not aware of that fact. He urged that the subject application be disapproved.

President Newman asked for a show of hands of individuals present in the audience in opposition to the subject application. Approximately 50 people responded.

Toby Levine, representing the Mission Planning Council, stated that she had submitted a letter of opposition to the subject application to the Commission. Briefly summarizing the letter, she stated that reports which had been published by the Department of City Planning had reflected the fact that there is a need for family housing in the Mission District. In addition, the plan which had been prepared for the Inner-Mission District states that family units must be preserved and increased. Finally, the City Planning Commission's Plan for Transportation specifies that traffic should be diverted from residential neighborhoods. For those reasons, she urged that the subject application be disapproved.

Mr. Callon emphasized that the proposed parking lot would be closed on Saturdays, Sundays, and every evening; and, insofar as the vacant lot might be used for neighborhood functions at such times, he felt that it might be regarded as an asset.

Mr. Steele recommended that the subject application be disapproved. He remarked that Hill Street is a pleasant, quiet residential street which is noted for the quality of its victorian houses; and he felt that the proposed parking lot and exit onto Hill Street would bring about an intrusion of commercial use into the quiet residential neighborhood. In addition, the traffic which would be generated could also have considerable detrimental effect on the residential uses. Of equal importance was the fact that four units of housing designed to accommodate families would have to be demolished for the proposed parking lot. He remarked that such housing is in short supply in San Francisco; and he indicated that demolition of the subject building would clearly be in opposition to the Master Plan and in conflict with established Commission policies. In conclusion, he stated that the applicant had not demonstrated that any public benefit would be derived from the proposed use. Therefore, he recommended that the application be disapproved.

Commissioner Ritchie asked if the subject lot would be landscaped if the conditional use application were to be granted; and, if so, he wondered how many trees would be planted. A representative of the applicant indicated that plans which had been submitted for the project depicted 18 trees and additional shrubbery.

Commissioner Fleishhacker moved that the subject application be disapproved. He remarked that no showing had been made that the proposed project would satisfy the criteria for approval of a conditional use as specified in the City Planning Code. The proposal would result in development of a commercial use in a residential area; and he did not feel that the commercial use would provide sufficient benefit for the adjacent residential area to justify its approval.

The motion was seconded by Commissioner Rueda. He felt that residential areas of the city must be protected from increased amounts of automobile traffic; and, in the Mission District as a whole, he believed that pedestrian commercial traffic should be encouraged.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7280 and to disapprove the subject application.

EE74.297 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE REQUIRED FOR A 30-UNIT BUILDING PROPOSED FOR CONSTRUCTION AT 1919 CALIFORNIA STREET AND REQUIRING VARIANCES FROM THE CITY PLANNING CODE.
(CONTINUED FROM MEETING OF JANUARY 2, 1975)

Paul Rosetter, Planner II, described the proposed project and summarized the reasons for the staff's determination that an Environmental Impact Report should be required for the project.

The first of these is the fact that the United States is a young nation, and that its history is a history of growth and development. The second is the fact that the United States is a nation of immigrants, and that its history is a history of the struggle for the rights of these immigrants. The third is the fact that the United States is a nation of free men, and that its history is a history of the struggle for the rights of these free men. The fourth is the fact that the United States is a nation of law, and that its history is a history of the struggle for the rights of these laws. The fifth is the fact that the United States is a nation of peace, and that its history is a history of the struggle for the rights of these peace.

The sixth is the fact that the United States is a nation of progress, and that its history is a history of the struggle for the rights of these progress. The seventh is the fact that the United States is a nation of justice, and that its history is a history of the struggle for the rights of these justice. The eighth is the fact that the United States is a nation of liberty, and that its history is a history of the struggle for the rights of these liberty. The ninth is the fact that the United States is a nation of equality, and that its history is a history of the struggle for the rights of these equality.

The tenth is the fact that the United States is a nation of unity, and that its history is a history of the struggle for the rights of these unity. The eleventh is the fact that the United States is a nation of strength, and that its history is a history of the struggle for the rights of these strength. The twelfth is the fact that the United States is a nation of wisdom, and that its history is a history of the struggle for the rights of these wisdom. The thirteenth is the fact that the United States is a nation of courage, and that its history is a history of the struggle for the rights of these courage.

The fourteenth is the fact that the United States is a nation of hope, and that its history is a history of the struggle for the rights of these hope. The fifteenth is the fact that the United States is a nation of faith, and that its history is a history of the struggle for the rights of these faith. The sixteenth is the fact that the United States is a nation of love, and that its history is a history of the struggle for the rights of these love. The seventeenth is the fact that the United States is a nation of compassion, and that its history is a history of the struggle for the rights of these compassion.

The eighteenth is the fact that the United States is a nation of kindness, and that its history is a history of the struggle for the rights of these kindness. The nineteenth is the fact that the United States is a nation of gentleness, and that its history is a history of the struggle for the rights of these gentleness. The twentieth is the fact that the United States is a nation of meekness, and that its history is a history of the struggle for the rights of these meekness.

The twenty-first is the fact that the United States is a nation of mildness, and that its history is a history of the struggle for the rights of these mildness. The twenty-second is the fact that the United States is a nation of sweetness, and that its history is a history of the struggle for the rights of these sweetness. The twenty-third is the fact that the United States is a nation of goodness, and that its history is a history of the struggle for the rights of these goodness. The twenty-fourth is the fact that the United States is a nation of beauty, and that its history is a history of the struggle for the rights of these beauty.

The twenty-fifth is the fact that the United States is a nation of grace, and that its history is a history of the struggle for the rights of these grace. The twenty-sixth is the fact that the United States is a nation of glory, and that its history is a history of the struggle for the rights of these glory. The twenty-seventh is the fact that the United States is a nation of honor, and that its history is a history of the struggle for the rights of these honor. The twenty-eighth is the fact that the United States is a nation of respect, and that its history is a history of the struggle for the rights of these respect.

President Newman stated that letters had been received from Ralph L. Coffman, member of the Board of Directors of the Pacific Heights Association; Benjamin W. Irving and Rene Morales, 1848 Pine Street; and from Albert E. Franklin, 2026 California Street, urging that the Environmental Impact Report be required.

Subsequently, the Commission receive testimony from Leonardo Bacci, attorney for Frank Cafferkey and Associates, the applicants; Craig Beckstead, 2226 California Street; and John Walker, representing the Pacific Heights Association.

Selina Bendix, Environmental Review Officer, was present and responded to questions raised by members of the Commission.

At the conclusion of the hearing, Dean L. Macris, Director of Planning, recommended that the Commission sustain the determination by the Department of City Planning that an Environmental Impact Report should be prepared for the project.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that Resolution No. 7281 be adopted with the following resolve:

"THEREFORE BE IT RESOLVED, that the City Planning Commission does hereby find that the proposed project may have a significant effect on the environment, and does hereby affirm the determination of the Department of City Planning."

The Commission also requested the staff to investigate the legal status of a building permit application which had been issued for construction of an alternate building on the subject site.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, January 23, 1975.

The City Planning Commission met pursuant to notice on Thursday, January 23, 1975, at 1:30 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; James J. Finn, Mortimer Fleishacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice President.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Peter Svirsky, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Alan Lubliner, Planner III; Marie Zeller, Planner III-Administrative; Gary Craft, Planner II; John Mackie, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

EXECUTIVE SESSION

President Newman called the meeting to order at 1:30 p.m. and announced that the Commission would adjourn to Executive Session to consider pending litigation and appointment of personnel.

A letter had been received from Douglas Engmann of the Stanyan-Fulton Street Association and Sue Hestor of the Eureka Valley Promotion Association questioning whether the matter of litigation scheduled for discussion in Executive Session should properly be considered in an open meeting pursuant to the Brown Act. However, the City Attorney advised that this Executive Session procedure was proper under the requirements of State law and the City Charter.

In the Executive Session, Robert A. Kenealey, Deputy City Attorney, and Burke Delventhal, Deputy City Attorney, gave a status report to the Commission on the suit regarding the Environmental Impact Report and Conditional Use for St. Mary's Hospital. The future alternatives for that litigation were outlined for the Commission. No determination was considered or made by the Commission on the question of an appeal from the decision of the Superior Court in this matter.

In separate matter in the Executive Session, the Director informed the Commission that he had appointed Peter Svirsky, Planner V (Zoning) to serve in the capacity of Executive Assistant to the Director of Planning.

At the close of the Executive Session, at 2:15 p.m., the Commission returned to the meeting room for the remainder of the agenda.

ELECTION OF OFFICERS

It was moved by Commissioner Ritchie and seconded by Commissioner Rueda that Walter S. Newman be re-elected to the office of President of the City Planning Commission and that Mrs. Charles B. Porter be re-elected to the office of Vice President of the City Planning Commission.

It was then moved by Commissioner Mellon, seconded by Commissioner Fleishacker, and carried unanimously that the nominations for the offices of President of the Commission be closed.

When the question was called, the Commission voted unanimously to re-elect Mr. Newman and Mrs. Porter to the offices of President and Vice President of the City Planning Commission, respectively.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported to the Commission as follows:

"A letter has been sent to the Commission by Mr. John Farrell, the Controller, inquiring as to any estimated increase in the cost of government under a proposed Charter amendment.

"The Charter amendment would add a requirement that when boards and commissions wish to adopt rules and regulations for the conduct of their affairs they must conduct hearings and must calendar such matters for at least one week.

"There would be no increase in cost to this Commission, inasmuch as the amendment comes very close to the present practice of the Commission and notice is now given of proposed changes in the rules.

"And so, with your permission, I will advise the Controller of that fact."

None of the members of the Commission objected to the course of action which the Director had proposed to follow:

Robert Passmore, Planner V (Zoning), reported to the Commission as follows:

"When we reviewed the progress of the Residential Zoning study in December of last year, the subject of changing churches and schools from principal-permitted uses to conditional uses in Residential districts was raised, and staff was specifically asked to report on how churches and schools were controlled under zoning ordinances in other bay area cities.

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"As the Commission knows, presently, in San Francisco, churches or public, parochial or non-profit elementary and secondary schools are principal-permitted uses not requiring review by the City Planning Commission - private profit-making elementary and secondary schools, nursery schools, colleges and universities are conditional uses requiring specific City Planning Commission review and approval. Off-street parking required for churches is one parking space for each 10 seats except no parking is required for the first 100 seats free. School parking is not covered specifically by the Code; thus the Zoning Administrator must determine the parking required on an individual case basis.

"Staff has reviewed the ordinances of 11 Bay Area Cities - Richmond, Berkeley, Oakland, San Leandro, Hayward, Fremont, San Jose, Palo Alto, Redwood City, San Mateo and San Rafael.

"Of these cities, all but San Jose treat both churches and schools as conditional uses in low-density residential areas, and Richmond, Berkeley, Fremont, Redwood City, and San Mateo treat churches and schools as conditional uses in all Residential districts.

"As to the question of required off-street parking, a major concern with this type of institutional use, standards vary. However, off-street parking required in all 11 cities is greater for both churches and schools than required by the San Francisco Planning Code. Additionally none of the cities have a provision for churches permitting 100 seats without any parking.

"We were not able to establish the number of building permits issued per year for churches and schools in Residential districts of San Francisco. Thus we can't, at this time, estimate the probable case load if such uses were conditional uses rather than principal-permitted uses under our Planning Code.

"In answer to City Planning Commission's concern, three possible courses of action might be taken:

- "1) Regulations for all non-residential uses in Residential districts, including churches and schools, is a major subject of the Residential Zoning study. The Commission could wait to take action on this matter until the results of that study is submitted to them in May 1976.
- "2) The City Planning Commission at this time could initiate an amendment to the City Planning Code to make churches and schools conditional uses rather than principal-permitted uses in the districts (low-density or low- and high-densities). The technical drafting of such provision could be quite simple or quite complicated depending on the extent of guidelines to be added

to the Code. Regardless of the technical difficulty, considerable staff time would be taken by the hearing procedures required before the City Planning Commission and Board of Supervisors. This time in effect would be duplicated when the Residential Zoning study is completed as the provisions would be subject to review again.

- "3) The Commission could exercise discretionary review over applications for new or expanded churches and schools as an interim control pending completion of the Residential Zoning study. If such a policy is initiated, staff should give notice to the Board of Realtors and organized church groups to give as much warning of potential review as possible."

Commissioner Mellon asked if problems relating to new churches and schools in residential districts was imminent or if new legislation could be deferred until completion of the Residential Zoning Study. Mr. Passmore replied that prior to one case which had arisen last fall, no problems had come before the Commission for fourteen years. However, in the wake of the recent case, several neighborhood organizations had expressed concern about the fact that churches and private schools are treated as principal-permitted uses in residential zoning districts.

The Director suggested that the Commission might wish to consider adopting a draft resolution which would express its intention of conducting discretionary reviews of churches or private schools proposed for residential districts under certain circumstances so that the public would be aware that the Commission is concerned about the impact which such uses can have in residential neighborhoods.

Commissioner Fleishhacker agreed, remarking that it would be better to announce the Commission's concern so that anyone contemplating such a development would confer with the staff of the Department of City Planning before going to the expense of acquiring property or having plans prepared. He also felt that major additions to existing churches or private schools in residential zoning districts should be brought before the Commission for discretionary review.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the staff be requested to prepare a draft resolution covering these issues for consideration by the Commission at its next meeting.

The Director informed the Commission that the Mayor had published a preliminary report on San Francisco's Community Development and Housing Program and that a public hearing is scheduled to be held on the program on Tuesday, February 4, 1975, in the Chambers of the Board Supervisors starting at 7:30 p.m. The program will come before the City Planning Commission on February 20 for Environmental Evaluation and for a determination of its conformity to the Master Plan.

Selina Bendix, Environmental Review Officer, explained that the Commission would be considering both an Environmental Impact Report and an Environmental Impact Statement for the proposed program. The Environmental Impact Report is required by State Law. The Environmental Impact Statement is a Federal requirement; however, under Federal law, the entire environmental review process for the proposed program had been delegated to the City and County of San Francisco. She indicated that she would prepare a memorandum to be sent to members of the Commission next week which will explain the differences between the Environmental Impact Report and the Environmental Impact Statement.

The Director advised the members of the City-Wide Comprehensive Plans Committee of the Commission that a meeting will be scheduled at 1:00 p.m. on Thursday, February 13, for review of the proposed program. He then introduced James Jaquet, newly appointed Director of the Mayor's Office of Community Development.

Commissioner Ritchie stated that he would support the proposed Community Development and Housing Program as it pertains to San Francisco; however, he regarded the Federal Government's approach to handling of its revenues as repugnant and as the basic cause for the present economic problems of the country.

Mrs. Bendix noted that the Administrative Code allows the Commission to authorize the Environmental Review Officer to hold public hearings and to take testimony regarding environmental review matters; and she recommended that she be authorized to hold a preliminary public hearing on the Environmental Impact Report for the proposed expansion of the Southeast Sewage Treatment Plan. She indicated that the initial public hearing would be continued to a hearing before the full Commission for action; and she stated that she would report to the Commission on the preliminary public hearing at that time. After discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the Environmental Review Officer be authorized to hold a public hearing on the Environmental Impact Report for the proposed expansion on the Southeast Sewage Treatment Plant.

President Newman reported that the Commission had met in Executive Session earlier in the afternoon and had approved the Director's proposal to ask Peter Svirsky, Planner V (Zoning), to serve as his Executive Assistant.

Commissioner Fleishhacker noted that the Board of Supervisors, meeting on Monday, had overruled the Commission and had voted unanimously to designate the Goodman Building as a Landmark. He felt that the Board's decision had been based more on the present use of the building than on the architectural quality or historic merit of the building; and, while he did not dispute the desirability of maintaining artist's housing, he felt that the action of the Board of Supervisors, which in his opinion, represented a misuse of the Landmarks Preservation Ordinance, highlighted the fact that the Commission should

review the provisions of the Landmarks Preservation Ordinance with a view towards making the ordinance more effective. In particular, he felt that the criteria for designating a building as a landmark should be more tightly defined.

Commissioner Ritchie felt that other weak points in the Landmarks Preservation Ordinance should be corrected, also. For instance, he believed that the City should have the ability to withhold issuance of a permit for demolition of a landmark building for three or five years rather than the present one year limit; and, in addition, he believed that owners of buildings which have been designated as landmarks should be afforded some tax relief.

President Newman suggested that the staff should consider inclusion of a project involving revision of the Landmarks Preservation Ordinance in the Work Program of the Department of City Planning.

**R74.57 - SIDEWALK NARROWINGS: 20th, 21st, 23rd, and 24th AVENUES
AT IRVING STREET.**

Commissioner Rueda stated that he would abstain from participation in discussion or voting on this matter because of a possible conflict of interest because he owns property in the subject neighborhood.

Richard Gamble, Planner IV, reported on this matter as follows:

"The subject proposal has been forwarded by the Director of Public Works for master plan conformity review.

"The merchants on Irving Street originated the proposal to provide angular parking on the side streets in lieu of the existing parallel arrangement. This involves reducing sidewalk width to nine feet in the angular parking strip. On 20th Street where sidewalks are 12 feet wide the scheme will result in two 13 1/2 feet moving lanes. On the other streets, with 15 feet sidewalks, 12 feet moving lanes will result. The traffic engineers maintain that the additional lane width is needed on 20th due to heavier traffic generated largely by proximity to 19th Avenue.

"The project will provide forty nine parking spaces where 30 parallel spaces now exist.

"The project is to be financed from the off-street parking fund (parking meter revenues). In November 1973 it was estimated to cost \$33,000, however, \$40,000 or more is perhaps more realistic today. These figures do not include any landscape treatment.

"It is the staff's opinion that liberal landscaping should be added to compensate for the visual impact of converting these streets into parking lots. A scheme has been prepared which involves planting 80

trees, locating them at each end of the angular strips (but not along the strips because the sidewalk is too narrow), opposite the strips on the remaining wide sidewalks, and in front of the first several residences beyond the parking area. Consideration was given to schemes like corner bulbs utilized in Protected Residential Area programs, however, due to the space limitations and constraints imposed by mechanical street sweeping, it was determined that conventional, but extensive, street tree planting would be more effective. At one critical point, the southeast corner of 21st, the public phone booth should be relocated to a more spacious corner so a tree can be planted.

"The City-Wide Parking Plan Objective 2, that of increasing short term parking facilities in neighborhood shopping areas, is supported by this proposal. However, the policies in the plan specify development of off-street facilities. The fundamental principles for neighborhood environment of the Urban Design Plan underscore the need for tree planting to compensate for the intrusion of shopper parking on these side streets."

Dean L. Macris, Director of Planning, recommended that he be authorized to report that the proposed sidewalk narrowings are in conformity with the Master Plan provided that approximately 80 street trees be planted opposite and beyond the angular parking strips, and that plans for said planting and relocation of the 21st Avenue phone booth be reviewed and approved by the Department of City Planning.

Commissioner Finn asked if the proposed diagonal parking spaces would interfere with the bus stop on 23rd Avenue at Irving Street. Mr. Gamble replied in the negative.

Commissioner Finn then stated that he was not inclined to favor the placement of diagonal parking spaces, designed to serve commercial uses, on side streets which are basically residential in character. Furthermore, he pointed out that the city is supposed to be pursuing a "transit first" policy; and he remarked that diagonal parking usually tends to have an adverse affect on the speed, safety, and general quality of bus service. He asked if residents of the subject neighborhood had been consulted about the diagonal parking proposal.

Richard Evans, representing the Traffic Engineering Bureau of the Department of Public Works, replied that the Director of Public Works had held a public hearing on the proposal; and notices of the hearing had been posted in the subject neighborhood. No one had appeared at the hearing to speak in opposition to the proposal. He stated that the merchants of the area had pointed out the need for additional parking spaces in the neighborhood; and, since no sites were available for additional off-street parking, the solution now being considered by the Commission had been proposed. He stated that the proposed diagonal parking would not extend beyond the property lines of commercially zoned properties on the avenues involved; and he indicated that his bureau did not believe that any bus safety problems would develop as a result of the proposed project.

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President Newman asked who would be responsible for planting and maintaining the street trees called for in the staff recommendation.

Mr. Evans replied that the cost of planting the trees could be borne either by the Parking Authority or by the Merchants on Irving Street. He stated that property owners are responsible for street trees once they have been planted.

President Newman remarked that the merchants on Irving Street would be the principle beneficiaries of the diagonal parking spaces which were being proposed; and he felt that the merchants should be responsible for maintaining the trees regardless of who plants them.

Commissioner Finn asked if the Inner Departmental Staff Committee on Traffic and Transportation had reviewed the proposed project; and, if so, he wondered what position that committee had taken. Mr. Evans replied that the committee had approved the project.

George A. Williams, Assistant Director-Plans and Programs, stated that it would be possible to form an assessment district under which the merchants on Irving Street would provide funds for maintenance of the street trees; however, other alternatives for financing the maintenance of the trees were available also.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Ritchie that the proposed project be approved subject to the conditions which had been recommended by the Director.

Commissioner Finn stated that he intended to vote against the proposed project since he felt that it would establish a dangerous precedent for similar projects in other neighborhood shopping districts where parking is at a premium. In effect, the Commission was proposing to trade parking spaces for street trees; and he did not feel that the trade represented a good bargain.

Commissioner Mellon asked if the proposed project would bring some benefits to residents of the neighborhood or it would benefit only the merchants on Irving Street. Mr. Evans replied that the proposed project would benefit both the merchants and residents of the area. It would benefit the merchants by providing parking spaces which could be used by people who may not shop in the area at the present time because parking spaces are unavailable; and it would benefit residents of the neighborhood by providing parking spaces for drivers who may now circulate around the block while looking for a parking space or who may park further down the block in the residential district.

When the question was called, the Commission voted 4-1 to authorize the Director to report that the narrowing of sidewalks near Irving Street on 20th, 21st, 23rd and 24th Avenues, as shown on Bureau of Engineering Drawing A-20-302, is in conformity with the Master Plan provided that approximately 80 street trees be planted opposite and beyond the angular parking strips and that plans for said planting and relocation of the 21st Avenue phone booth be reviewed and approved by the Director of Planning.

At this point in the proceedings, Commissioner Rueda returned to the meeting room and reassumed his seat at the Commission table.

REVIEW OF BAY CONSERVATION AND DEVELOPMENT COMMISSION'S WATERFRONT ADVISORY COMMITTEE'S PROPOSED SPECIAL AREA PLAN FOR THE BAY WATERFRONT.

George A. Williams, Assistant Director-Plans and Programs, summarized the BCDC Waterfront Advisory Committee's Proposed Special Area Plan for the Bay Waterfront and explained where the proposed special area plan was consistent or inconsistent with the Commission's Northern Waterfront Plan.

Commissioner Ritchie, noting that the proposed Special Area Plan suggested that the triangle bounded by Bryant Street, 2nd Street and the Embarcadero should be used for housing, asked if the Commission would be faced with a proposal in the future to re-zone that area for residential use. If so, it seemed to him that the City would ultimately lose some viable and important industrial uses.

Dean L. Macris, Director of Planning, replied that the proposed Special Area Plan had recommended that the area mentioned by Commissioner Ritchie should be developed as a mixed use neighborhood in which viable industries would be retained while housing would be encouraged on other properties.

Commissioner Fleishhacker, noting that the proposed Special Area Plan had been prepared by another agency, ask if it would be binding on the City Planning Commission. The Director replied that the plan was prepared for an agency of the State of California which has control over development of the Bay and property within 100 feet of the shoreline; however, since it was obvious that any development of the shoreline would ultimately affect the development of inland properties, the committee, in preparing the Special Area Plan, had attempted to propose harmonious development for shoreline and inland properties.

President Newman, who had served as a member of the committee which had prepared the Special Area Plan, explained that the Special Area Plan had represented a compromise which had been agreed to by representatives from many diverse groups in the community; and, if any changes were to be proposed in the plan, he felt that other groups would feel that the compromise had been broken and that further changes should be made in the plan to satisfy their individual points of view.

Commissioner Ritchie remarked that he had heard that the Redevelopment Agency was interested in undertaking a new project in the waterfront area south of Market Street; and he hoped that the Commission would not be sanctioning such a project if it were to vote to endorse the Special Area Plan.

The Director stated that the proposed Special Area Plan had called for preparation of specific design plans for the area in the vicinity of the Ferry

Building and the triangle bounded by Bryant and 2nd Streets and the Embarcadero; however, they had made no recommendation as to which agency should be responsible for preparing those plans. If a Redevelopment Project Area were to be proposed, the City Planning Commission, under State law, would be responsible for selecting the boundaries of the project and for developing a preliminary plan for the project; and, as a result, it would be impossible for the Redevelopment Agency to proceed with a new project without the concurrence of the City Planning Commission.

President Newman stated that a letter had been received from William D. Evers, Chairman of the San Francisco Bay Conservation and Development Commission, which contained the following paragraph:

"Within the last few weeks the Waterfront Advisory Committee has also considered methods for implementing the Special Area Plan in the area of the Waterfront starting at Pier 7 and going south to China Basin. The Redevelopment Agency, at the request of the Committee, has prepared a financing and development proposal for this area. The Committee is impressed with this proposal and has voted unanimously to pursue it. However, it was the Committee's strong view that it would not be prudent to pursue the implementation proposal until the Special Area Plan is adopted. Accordingly, after the Special Area Plan is adopted, it is anticipated that the Committee will appear before you to discuss the redevelopment proposal in detail. This should be in approximately three months."

Lloyd Steele, a member of the San Francisco Waterfront Advisory Committee who had served as a representative of the San Francisco Bay Area Chapter of the Sierra Club, indicated that he wished to emphasize President Newman's explanation that the proposed Special Area Plan had been arrived at in the spirit of compromise. If any changes were to be proposed in the plan by other organizations, his organization, also, would wish to pursue further changes; and he expected that other organizations would respond in a like manner. He then read and submitted a resolution which had been adopted by the Conservation Committee of the Bay Area Chapter of the Sierra Club and approved by the Executive Committee of the organization to endorse the Special Area Plan.

Commissioner Fleishhacker remarked that some of the organizations which had sent representatives to the Waterfront Advisory Committee have apparently acted to endorse the proposed Special Area Plan; however, it was also apparent that other organizations, such as the City Planning Commission, the Board of Supervisors and the Port Commission had not yet taken action on the proposal. Under the circumstances, he did not feel that the "compromise" was as firm as Mr. Steele had led the Commission to believe.

President Newman explained that he had abstained from voting on the Special Area Plan because he was aware that he could not represent the opinion of the Commission.

Commissioner Mellon stated that he would be reluctant to vote to reject the Special Area Plan; however, until such time as he has had an opportunity to look closer at the economic implications of the plan, he did not feel that he could vote to endorse it.

Robert Katz, representing the Telegraph Hill Dwellers, stated that he, also, had served as a member of the Waterfront Advisory Committee. He acknowledged that the roster of the members of the committee contained in the report on the Special Area Plan did give the impression that the members of the committee had been official representatives of their organizations since the name of each organization was listed before the names of the individuals; however, in fact, the members of the committee had acted as individuals with the presumption that they could defend their agreement with the compromises which had been reached before their own organizations. While he did not wish the Commission to feel that it was being faced with an ultimatum, he did believe that the only alternative to endorsement of the plan would be to reopen the arguments which had existed previously, thus precluding any development of the waterfront whatsoever. Therefore, he felt that the Commission should take the position of approving the plan in concept while reserving the right to make future decisions regarding zoning decisions.

Michael McGill, representing the San Francisco Planning and Urban Renewal Association, stated that his organization, also, had endorsed the proposed Special Area Plan; and he indicated that he supported the comments which had been made by Mr. Steele and Mr. Katz regarding the desirability of action by the Commission to endorse the plan. The plan, which represented a compromise of various points of view, would provide commercial development as well as open-space and public access to the Bay; and, if the plan were not to be adopted, none of those factors would be achieved. Instead, the waterfront would continue to deteriorate. In conclusion, he observed that even if the Commission were to endorse the plan, safeguards were available to it in the form of its zoning authority and in view of the fact that special design plans were still to be prepared for the area in the vicinity of the Ferry Building and in the triangle bounded by Bryant and 2nd Streets and the Embarcadero.

Commissioner Finn felt that it would be desirable to endorse the plan in concept; however, like Commissioner Mellon, he wished to have an opportunity to analyze the economic implications of the plan before taking action. He stated that he was vitally interested in using the belt line railroad for public transportation; however, even within the Public Utilities Commission opinions regarding the capital cost of such a project have ranged from 10 million dollars to 44 million dollars. Under the circumstances, he felt that a more firm knowledge of the possible economic impact of the plan should be obtained before a vote is taken by the Commission.

Dean L. Macris, Director of Planning, felt that it should be possible for the Commission to endorse the plan in concept while reserving judgment with regard to future planning, amendment of the Northern Waterfront Plan zoning changes, and other details. He therefore recommended adoption of a draft resolution which he had prepared which contained the following resolve:

"THEREFORE BE IT RESOLVED, That

- "1. The City Planning Commission hereby endorses the proposed Special Area Plan except as noted below.
- "2. Regarding the area surrounding the Ferry Building (Piers 7 through 24) the City Planning Commission hereby endorses the requirement that a Total Design Plan be developed for the area provided it is developed with the appropriate participation of the Department of City Planning and endorses the criteria under which the Total Design Plan would be developed, as outlined in the proposed Special Area Plan, and hereby requests the staff, in conjunction with the preparation of the Total Design Plan, to determine what amendments to the Northern Waterfront Plan would be appropriate.
- "3. Regarding the triangular area from the Bay Bridge to China Basin bounded by 2nd and Bryant Streets, the City Planning Commission hereby requests the staff to carry out studies to evaluate the feasibility of the proposed Special Area Plan recommendation that it be redeveloped as a mixed use neighborhood with predominantly residential uses and determine what amendments to the Northern Waterfront Plan would be appropriate."

Commissioner Mellon asked if there were any way for the Commission to obtain some assurance that the proposed plan would permit sufficient income-producing development for the Port before taking action on it. The Director replied that considerably more detailed plans would probably have to be prepared before it could be determined whether developers would regard the uses permitted in the plan to be attractive or economically feasible.

President Newman remarked that the consultant firm of Gruen & Gruen had conducted an economic analysis of the proposed plan; and he doubted that any more economic information could be gathered if the Commission were to defer action on the plan.

Commissioner Ritchie suggested that three amendments should be made to the draft resolution which had been distributed by the Director. The first change would amend Item 2 of the resolve to read as follows: "... And hereby request the staff, in conjunction with the preparation of the total design plan, to determine what amendments to the Northern Waterfront Plan (including economic feasibility analysis) would be appropriate and to present the total design plan and the recommended amendment to the Northern Waterfront Plan to the Commission for its review and approval."

The second change in the draft resolution would involve addition of the following words to Item 3 of the resolve: "and to present the studies to the Commission for its review and approval."

The third change would be to insert Item 4 in the resolve, as follows:
"The Commission will require further review of the use of the Belt Line Railroad."

Commissioner Rueda remarked that it was obvious that everyone involved in the process of preparing the proposed Special Area Plan has reservations with it; however, unless the plan is endorsed by all agencies involved, the likelihood is that no development whatsoever shall occur on the waterfront. Therefore, he moved that the draft resolution be adopted with the changes which had been recommended by Commissioner Ritchie. The motion was seconded by Commissioner Ritchie.

Commissioner Fleishhacker remarked that the plan seemed to be more concerned with prohibitions than with positive proposals. Under the circumstances, he was sympathetic with the economic concerns which had been expressed by Commissioner Mellon. However, if the plan were not to be endorsed, it appeared that nothing could be accomplished on the Waterfront whatsoever; and that was an equally uninviting prospect.

Commissioner Ritchie suggested that the best thing for the Commission to do might be to adopt the draft resolution, with the revisions proposed and with an additional amendment which would express the Commission's skepticism about the ability of the plan to provide special revenue for the Port of San Francisco.

Commissioner Finn stated that while he was concerned about the financial implications of operating the Belt Line Railroad for public transportation, he felt that the matter should not be referred to specifically in the draft resolution; and he recommended that the amendment referring to that matter be deleted from the draft resolution. Commissioners Rueda and Ritchie agreed to delete that amendment from the motion before the Commission.

Commissioner Mellon stated that he would be prepared to endorse the proposed Special Area Plan immediately if he were convinced that the development contemplated in the plan would provide the revenues which are needed by the Port.

Commissioner Fleishhacker felt that it was the general consensus of the Commission that the proposed Special Area Plan was not likely to be economically feasible; and, if that was the case, he felt that the Commission should express its opinion frankly.

After further discussion, the Commission decided that additional language should be added to the resolution to express its reservations as to whether the proposed plan would provide sufficient revenue for the Port. When the

question was called, the Commission voted unanimously to adopt Resolution No. 7282 to request that specific language for the resolution be brought before it at next week's meeting for its approval.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Special Meeting held Friday, January 24, 1975.

The City Planning Commission met pursuant to notice on Friday, January 24, 1975, at 9:00 a.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Virgil L. Elliott, James J. Finn, and Mortimer Fleishhacker, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice-President, and John Ritchie and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Calvin Malone, Planner IV; Alec Bash, City Planning Coordinator; Alan Lubliner, Planner III; and Lynn E. Pio, Secretary.

REVIEW OF CAPITAL IMPROVEMENT PROGRAM PROJECTS FOR SIX YEAR FROM 1975-76 THROUGH 1980-81.

Dean L. Macris, Director of Planning, made the following introductory comments:

"This morning, the City Planning Commission is holding its annual review of departmental submissions proposed for inclusion in the Capital Improvement Program for 1975-76 through 1980-81.

"The function of the Commission in this review is to determine the conformity of the capital improvement projects to the Master Plan, to assign general priority ratings to the various projects, to adopt where necessary appropriate policy statements to clarify the Commission's concerns and to issue a report recommending a program of capital improvements based on the projects submitted by the various departments and agencies.

"In accordance with previous programs, the 'A' or 'Essential' priority rating applies only to a project recommended for the budget or first year of the program. The reason for this assignment is to focus attention on those most significant projects recommended for budget year funding. It is of utmost importance to those projects proposed for funding from ad valorem or property tax monies. For example, \$11.8 million in project costs was recommended by the Commission for budget year request in 1974-75. Of this amount, \$3.5 million was actually funded.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES

REPORT OF THE COMMITTEE ON THE PROGRESS OF THE PHYSICAL SCIENCES
FOR THE YEAR 1954

The Committee on the Progress of the Physical Sciences was organized in 1947 to study the progress of the physical sciences in the United States and to make recommendations to the National Science Foundation and the National Academy of Sciences.

The Committee has held several public hearings and has received many suggestions from scientists and the public. It has also conducted extensive research into the organization and administration of the physical sciences in the United States.

The Committee's report is divided into two main parts. The first part deals with the organization and administration of the physical sciences, and the second part deals with the progress of the physical sciences in the United States.

The first part of the report deals with the organization and administration of the physical sciences. It discusses the role of the National Science Foundation and the National Academy of Sciences, and the role of the various departments and agencies of the Federal Government. It also discusses the role of the State and local governments, and the role of the private sector.

RECOMMENDATIONS OF THE COMMITTEE ON THE PROGRESS OF THE PHYSICAL SCIENCES
FOR THE YEAR 1954

The Committee recommends that the National Science Foundation and the National Academy of Sciences should continue to work closely together in the study of the progress of the physical sciences in the United States.

The Committee also recommends that the Federal Government should continue to support the physical sciences in the United States, and that the State and local governments should also support the physical sciences.

The Committee further recommends that the private sector should be encouraged to support the physical sciences in the United States, and that the physical sciences should be made more accessible to the general public.

The Committee believes that these recommendations will help to ensure the continued progress of the physical sciences in the United States, and that they will also help to ensure that the physical sciences are made more accessible to the general public.

While there are many meritorious projects proposed in the program, the City does not have the financial resources of fiscal capabilities to fund all of them. I trust the various departmental representatives will appreciate this fiscal restraint as we review the various schedules.

"Those projects which fall in the later years of the program have been given a 'Desirable' or 'Acceptable' priority rating. These 'B' or 'C' ratings will be reevaluated as the project advances toward the budget year in subsequent programs.

"Before turning the meeting over to Mr. Malone, I would like to thank the various departments and agencies who have participated with my staff in the development of this year's capital improvement program."

Calvin Malone, Planner IV, reviewed the new projects which had been submitted by the Adult Probation Department, the Art Commission, the Assessor's Office, the City Attorney's Office, the Department of City Planning, Civil Service, the Controller's Office, the Office of Emergency Services, and the District Attorney, as they appeared on pages D-1 through D-9 of the Staff Report dated January 24, 1975. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the projects which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report. Edward Joyce, Director of Emergency Services, was present to discuss the projects being proposed by his office.

Mr. Malone then reviewed new projects which had been submitted by the Recreation and Park Department as they appeared on pages D-62 through D-70 of the staff report. Thomas Malloy of the Recreation and Park Department was present to answer questions which were raised by members of the Commission. After discussion it was moved by Commissioner Finn, seconded by Commissioner Elliott, and carried unanimously that the new projects for the Recreation and Park Department be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone reviewed the new projects which had been submitted by the Fire Department as reflected on pages D-10 and D-11 of the staff report. Chief Gautier was present to respond to questions raised by members of the Commission concerning the projects. After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the new projects for the Fire Department be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, on the subject of the land grant to the State of California for the purpose of establishing a State Park.

The land grant was made by the President of the United States on the 10th day of March, 1892, and the land was conveyed to the State of California by the Secretary of the Interior on the 15th day of March, 1892.

The land was conveyed to the State of California for the purpose of establishing a State Park, and the land was conveyed to the State of California by the Secretary of the Interior on the 15th day of March, 1892.

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Mr. Malone then reviewed the new projects which had been submitted by the Mayor's Office, the Municipal Court, and the Police Department as they appeared on pages D-12 through D-18 of the staff report. Sergeant Wode, was present to respond to questions raised by the Commission concerning the new projects proposed by the Police Department. After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the projects which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone then reviewed the new projects which had been submitted by the Department of Social Services, the Sheriff's Department and the Superior Court as they appeared on pages D-19 through D-23 of the staff report. After discussion, it was moved by Commissioner Finn, seconded by Commissioner Elliott, and carried unanimously that the projects which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone proceeded to review the new projects which had been submitted by the Board of Supervisors, the Treasurer, the Juvenile Court, the Academy of Sciences and the Chief Administrative Officer as they appeared on pages D-24 through D-31 of the staff report. After discussion it was moved by Commissioner Finn, seconded by Commissioner Fleishhacker, and carried unanimously that the projects which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone then reviewed new projects which had been submitted by the Coroner, the Bureau of Finance and Records, the Department of Electricity, the County Agriculture Department, the Real Estate Department, the Registrar of Voters and Recorder, the Tax Collector, the Purchasing Department, and the General Office of the Department of Public Works as they appeared on pages D-32 through D-45 of the staff report. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the projects which had been reviewed by Mr. Malone be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone proceeded to review the new projects which had been submitted by the Department of Public Health as they appeared on pages D-46 through D-55 of the staff report. During the course of his presentation, he called attention to corrections which should be made on page D-52 of the report. Whereas projects 500.75.204, 500.75.205, and 500.75.206 were shown as projects to be undertaken in fiscal year 1975-76, they should have been shown as projects to be undertaken in fiscal year 1976-77. He also informed the Commission that Joseph Mignola, Assistant Director of Public Health for Hospital Services, was not able to be present but had

requested that the priority rating for projects 500.75.119 on page D-50 of the report and 500.75.120 on page D-51 of the report be changed from "B" to "A". He recommended that those changes be made. After discussion, it was moved by Commissioner Elliott, seconded by Commissioner Finn, and carried unanimously that the priority rating of the two projects be changed from "B" to "A". Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the new projects proposed by the Department of Public Health be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report and the amendments which will appear in the Commission's final report.

At 10:35 p.m. President Newman announced a ten-minute recess. The Commission reconvened at 10:45 p.m. and proceeded with hearing of the remainder of the agenda.

Mr. Malone reviewed the new projects which had been submitted by the Fine Arts Museums as they appeared on pages D-56 through D-58 of the staff report. Mr. Egberman, representing the Fine Arts Museum, was present to answer questions raised by members of the Commission.

President Newman noted that Project No. 621.75.401 called for an expenditure of \$10,000 to paint the exterior of the M.H. de Young Museum; and he questioned whether the amount of money specified would be sufficient for that project. Mr. Egberman replied that the painting project would probably cost \$100,00 rather than \$10,000 as indicated in the report. Mr. Malone, noting that the project would not be undertaken until fiscal year 1978-79, indicated that the cost estimate could be reviewed and revised in next year's report if necessary.

Commissioner Fleishhacker, noting that Project 621.69.101 called for reconstruction of the east wing of the M.H. de Young Museum, remarked that any major reconstruction or expansion projects in Golden Gate Park will probably not be permitted until a Master Plan has been developed for the park; and he felt that the various agencies presently occupying space in the park should give high priority to development of such as Master Plan. Mr. Egberman agreed that reconstruction and expansion of the east wing of the M.H. de Young Memorial Museum should not proceed until the Master Plan has been prepared.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the new projects proposed by the Fine Arts Museum be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Malone proceeded to review the new projects which had been submitted by the Asian Art Museum, and the Library as they appeared on pages D-59 through D-61 of the staff report. Kevin Starr, Acting City Librarian, was present to respond to questions raised by members of the Commission concerning projects submitted by the Library.

Commissioner Fleishhacker, noting that project 631.67.201 called for a bond issue in the amount of 26 million dollars for construction of a new main library, remarked that he had been under the impression that a bond issue of approximately 40 million dollars would be required for the type of project being contemplated. Mr. Starr replied that the 26 million dollar figure had been carried in the Capital Improvement Program since 1967; and he estimated that the cost of the project, if placed on the ballot in the current year, would, in fact, be closer to the 40 million dollar figure which had been mentioned by Commissioner Fleishhacker.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Elliott, and carried unanimously that the new projects proposed by the Library be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Alec Bash, City Planning Coordinator, described the new projects which had been submitted by the Traffic Engineering Bureau of the Department of Public Works as they appeared on pages D-71 through D-86 of the staff report. Richard Evans, representing the Traffic Engineering Bureau of the Department of Public Works, was present to respond to questions raised by members of the Commission.

The Director advised the Commission that a letter had been received from Ruth Jacobs, President of the San Francisco Chapter of the American Civil Liberties Union of Northern California, expressing concern about project number 671.75.118 on page D-80 of the staff report calling for installation of television camera traffic monitoring systems at various downtown intersections. Unless the Commission could present clear and convincing evidence that utilization of the camera would increase public safety, her organization felt that the intrusion of privacy resulting from installation of the cameras would not be justified.

The Director explained that the project data sheet which had been submitted by the Department of Public Works for the proposed project contained the following explanation: "Installation of Closed Circuit Television Cameras at various downtown intersections for monitoring the interference of private vehicles with public transit vehicles. This allows responsive control of traffic signals for expediting the movement of public transit vehicles during periods of heavy traffic congestion.

A pilot installation was made at the intersection of 5th and Mission. Other contemplated locations are: Mission at First, Third and Seventh Streets, California at Montgomery, Sutter at Stockton, Post at Powell, O'Farrell at Mason, and Geary at Kearny.

The Director stated that the staff of the Department of City Planning regarded the proposed project as a public safety proposal and had not seen any reason to view it as a civil liberty issue.

Mr. Evans explained that the Department of Public Works is embarked on a Transit Preferential Streets Program in downtown San Francisco; and he felt that installation of the television monitoring devices on Mission Street and at other key locations would be particularly important to the success of the program. He stated that the television cameras would be monitored at the Hall of Justice; and the monitor would be able to change signal operations on the streets in order to avoid or ameliorate traffic congestion problems. While he acknowledged that it is technically possible that such systems could be abused, he indicated that the Department of Public Works intended to use the cameras strictly for the purpose of monitoring traffic. He also explained that similar systems are currently being used in Sydney, Australia, and by the Golden Gate Bridge and the Bay Bridge.

Commissioner Fleishhacker asked if the television cameras would produce videotapes which could be kept and viewed later. Mr. Evans replied that no video tapes would be made.

The Director asked if anyone other than the American Civil Liberties Union had complained about the television camera at 5th and Mission Streets. Mr. Evans replied that Herb Cain had complained about the camera in his column in the San Francisco Chronicle.

President Newman stated that it appeared to him that purchase of the camera for purposes of controlling traffic would be a valid expenditure.

Commissioner Fleishhacker, noting that project 671.75.208 on page D-84 of the report had been given a "hold" rating, asked if the Department of Public Works objected to that rating. Mr. Evans replied in the negative, indicating that the project had been proposed by the State Division of Highways; and he stated that the Director of Public Works did not particularly favor the project.

Mr. Evans then requested that the priority rating for project 671.75.134 on page D-82 of the report be changed from "B" to "A". The project called for narrowing of sidewalks on Evans Avenue between Third Street and Phelps Street. He explained that the existing sidewalks are actually 5 feet wider than they are legally supposed to be; and he indicated that the sidewalk narrowing project would help to relieve a serious and dangerous traffic bottleneck.

Alan Lubliner, Planner III, stated that a traffic bottleneck in and of itself would not make the project more important than others which had been proposed; however, if the project would help to eliminate a potentially dangerous situation, he would be prepared to recommend that the rating be changed from "B" to "A".

After further discussion it was moved by Commissioner Elliott, seconded by Commissioner Finn, and carried unanimously that the priority rating of the project be changed as requested by Mr. Evans.

Mr. Malone stated that the source of funding for the proposed project should be changed from a "g" to an "e" to correct an error in the staff report.

After further discussion it was moved by Commissioner Elliott, seconded by Commissioner Finn, and carried unanimously that the new projects of the Trafficways Bureau of the Department of Public Works be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report and subject to corrections and amendments which will be reflected in the Commission's final report. Mr. Bash proceeded to review the new projects which had been submitted by the War Memorial and Museum of Arts, the Airport Commission, and the Municipal Railway as they appeared on pages D-87 through D-93 of the staff report. After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn and carried unanimously that those projects be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Mr. Bash then reviewed the new projects which had been submitted by the Water Department and Hetch Hetchy system as they appeared on pages D-94 through D-102 of the staff report.

Commissioner Fleishhacker, noting that most of the projects for the Water Department had been given an "A rating", questioned whether it would be possible to use the money allocated for those projects for projects proposed by other departments which might be considered to be more important. Mr. Malone replied that the Charter would allow use of Water Department funds for other purposes under certain circumstances; however, in view of the fact that the Water Department, Hetch Hetchy system and the Port Commission are responsible for maintenance of their own equipment and facilities, the staff of the Department of City Planning had taken the position that most of the projects which those agencies submit should be given an essential rating.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Elliott, and carried unanimously that the projects which had been submitted by the Water Department and the Hetch Hetchy System be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the staff report.

Finally, Mr. Bash reviewed the new projects which had been submitted by the Port Commission as they appeared on pages D-103 through D-105 of the staff report. John Yeomans, representing the Port, was present to respond to any questions raised by members of the Commission concerning the projects which had been submitted. After discussion it was moved by Commissioner Finn, seconded by Commissioner Fleishhacker, and carried unanimously that the projects which had been submitted by the Port be approved as in conformity with the Master Plan subject to the recommendations and notes contained in the Staff Report.

The meeting was adjourned at 12:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

15
SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, January 30, 1975.

The City Planning Commission met pursuant to notice on Thursday, January 30, 1975, at 2:00 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Virgil L. Elliott, James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice-President.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning, George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Russell Watson, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle, and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of December 5, 1974, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that Commissioner Porter has returned to her home from the hospital.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director informed the Commission that Anthony Crosland, M.P., Secretary of State for the Environment of Great Britain, would visit the Department of City Planning the next day to discuss transportation issues.

The Director also advised the Commission that he was scheduled to participate in a panel discussion with approximately thirty-five foreign diplomats later in the afternoon.

The Director distributed copies of the final Capital Improvement Report which contained changes approved by the Commission during its meeting on January 24.

The Director then distributed copies of language which had been drafted for Resolution No. 7282 which had been adopted by the Commission during its Special Meeting on January 23 to approve in concept the BCDC Special Area Plan for the Waterfront. The revised language read as follows:

"THEREFORE BE IT RESOLVED, That

- "1. The City Planning Commission hereby endorses in concept the proposed Special Area Plan except as noted below.
- "2. Regarding the area surrounding the Ferry Building (Piers 7 through 24) the City Planning Commission hereby endorses the requirement that a Total Design Plan be developed for the area provided it is developed with the appropriate participation of the Department of City Planning, and endorses the criteria under which the Total Design Plan would be developed as outlined in the proposed Special Area Plan, and hereby requests the staff, in conjunction with the preparation of the Total Design Plan, to determine what amendments to the Northern Waterfront Plan would be appropriate, and to present the Total Design Plan and the recommended amendments to the Northern Waterfront Plan to this Commission for its review and approval.
- "3. Regarding the triangular area from the Bay Bridge to China Basin bounded by 2nd and Bryant Streets, the City Planning Commission hereby requests the staff to carry out studies to evaluate the feasibility of the proposed Special Area Plan recommendation that this area be redeveloped as a mixed use neighborhood with predominantly residential uses and determine what amendments to the Northern Waterfront Plan would be appropriate, and to present these studies and the recommended amendments to the Northern Waterfront Plan to this Commission for its review and approval.
- "4. The City Planning Commission hereby expresses its strong reservation that development under the guidelines established by the Special Area Plan may not

provide an adequate return to the Port of San Francisco, and hereby requests that in preparation of the Total Design Plan studies be carried out to assess the economic feasibility of the Total Design Plan, including estimates of net return to the Port and estimates of public expenditures required to carry out the Total Design Plan."

Commissioner Fleishhacker stated that he had understood that members of the Commission were concerned about the economic feasibility of portions of the Special Area Plan other than those which would be subject to Total Design Plan studies; and he felt that the language which had been prepared by the staff would limit the economic analysis which was being requested to the two areas which were to be the subject to Total Design Plan studies. Under the circumstances, he suggested that the language should be amended.

The Director suggested that the final language of Item No. 4 could be amended to read as follows: "...including estimates of net return to the Port and estimates of public expenditures required to carry out both the Total Design Plans and the Special Area Plan".

The members of the Commission indicated that they found that language to be acceptable.

Richard Gryziec, representing San Francisco Tomorrow, remarked that the compromise agreement on the Special Area Plan constituted an uneasy truce between the groups which had been represented on the Advisory Committee; and he felt that an expression of the Commission's "strong reservations" about the fiscal feasibility of the plan might upset the truce which had been achieved. The language contained in the Commission's draft resolution seem to imply that the Port's real need is for large commercial developments which will provide money to finance maritime developments; however, his own opinion was that what the Port really needs is a competent maritime plan. Another implication of the language in the draft resolution was that the Special Area Plan would not be financially feasible; and he indicated that he disagreed with that point of view, also, since two economic consultant firms had studied aspects of the plan and had issued positive reports.

Commissioner Ritchie suggested that the Commission might wish to change the initial language of Item No. 4 of the draft resolution to read as follows: "The City Planning Commission believes that development under the guidelines established by the Special

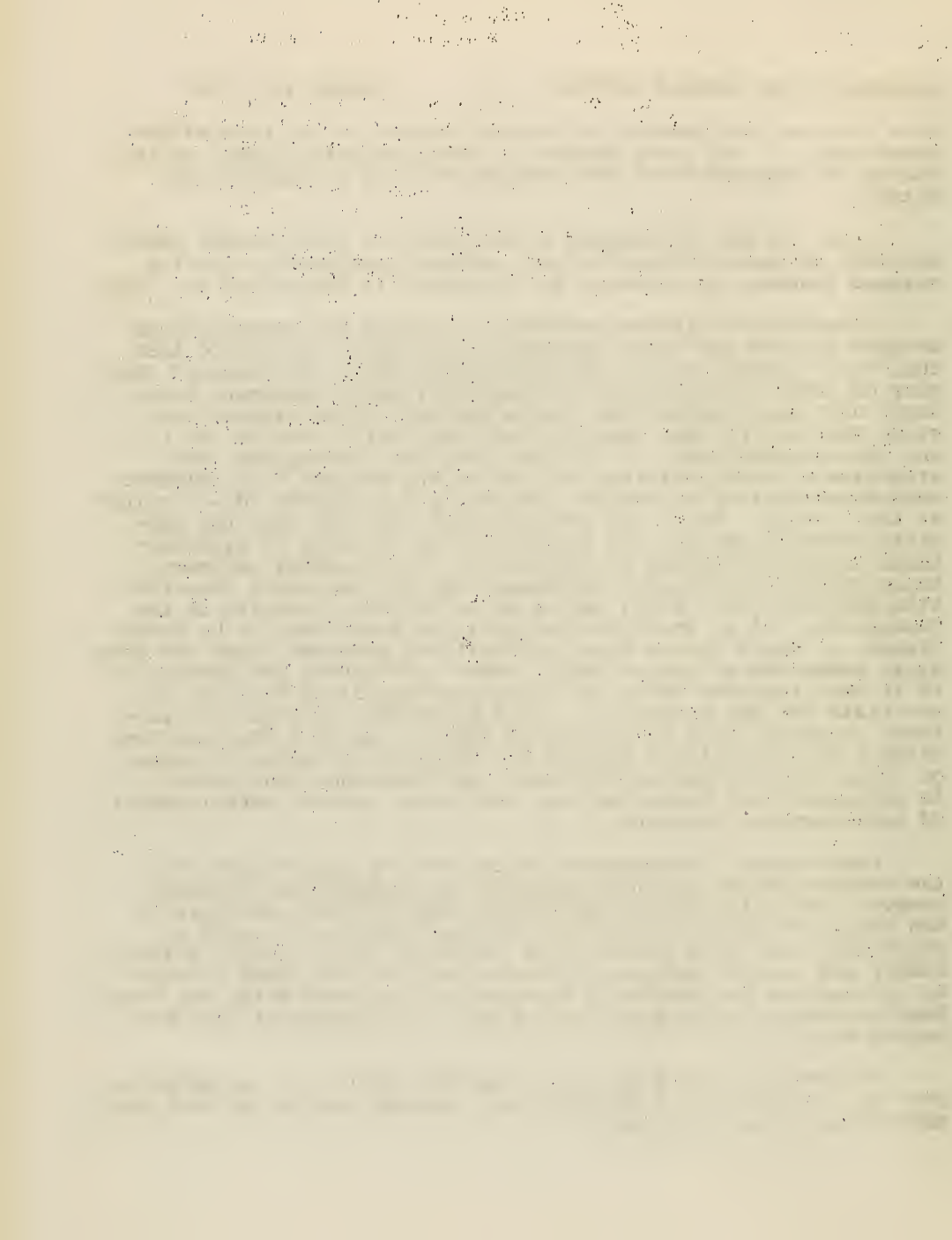
Area Plan may not provide an adequate return to the Port of San Francisco..." The other members of the Commission agreed to the change of language which had been recommended by Commissioner Ritchie.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Finn and carried unanimously that the revised language be approved for insertion in Resolution No. 7282.

Commissioner Ritchie remarked that there has recently been so much plywood and aluminum construction in San Francisco that the City's appearance has rapidly deteriorated. He remarked that many of these new buildings, particularly small apartment buildings, have been designed by people who are not architects; and, since they are of poor design, they have left a scar on the City and its neighborhoods. He believed that the wide-spread construction of such buildings was one of the reasons that neighborhood organizations throughout the city had requested "down zoning" of their areas. Under the circumstances, he felt that the Commission should explore the possibility of enacting an architectural control ordinance or creating an architectural advisory board which would function somewhat like the Landmarks Preservation Advisory Board which serves in an advisory capacity to the Commission. If an architectural advisory board were to be established, it could review every new building proposed, with the possible exception of single family homes, and advise the Commission if it felt that the design of particular buildings would be appropriate for San Francisco. While he recognized that architectural controls are a controversial subject, he felt that the Commission should at least request the Director to conduct a survey of other major cities in California and throughout the country to determine what steps they may have taken towards establishment of architectural controls.

Commissioner Fleishhacker stated that he sympathized with the concerns which had been expressed by Commissioner Ritchie; however, he believed that the establishment of such controls in San Francisco would be extremely difficult unless it could be shown that they were necessary on the basis of the public health, safety and general welfare. Nevertheless, he felt that it would be appropriate for the staff to examine ordinances which may have been adopted by other major cities and to determine if they have worked well.

Commissioner Rueda observed that the texture of the materials used in the facade of a building have a great deal to do with the appearance of the building.



The Director observed that introduction of architectural controls is usually a difficult process in large cities. During the past week, he had met with representatives of a neighborhood organization who had expressed concerns similar to those expressed by Commissioner Ritchie; but he had also met with a group of small builders who felt that the Department of City Planning had already instituted too many design controls. He indicated, however, that he would ask the staff to conduct a survey of what is happening in other major cities in the area of architectural controls; and he stated that he would report back to the Commission on the matter at a later date.

CONSIDERATION OF RESOLUTION CALLING FOR POSSIBLE DISCRETIONARY REVIEW BY CITY PLANNING COMMISSION OF BUILDING PERMIT APPLICATIONS FOR NEW CHURCHES AND NON-PROFIT ELEMENTARY AND SECONDARY SCHOOLS IN RESIDENTIALLY ZONED DISTRICTS AND OF APPLICATIONS FOR MAJOR EXPANSION OF SUCH FACILITIES WHERE EXISTING.

Robert Passmore, Planner V(Zoning), remarked that the draft resolution had been prepared in response to a request made by the Commission during its meeting on January 23. He then read the "Resolved" clauses of the draft resolution, as follows:

"THEREFORE BE IT RESOLVED, That the City Planning Commission hereby directs the Department of City Planning staff to review, during the remaining period of the Residential Zoning Study, all building permit applications filed for construction of new churches and non-profit elementary and secondary schools in residential zoning districts not now subject to conditional use review, or for major expansion of such uses now existent; and to submit to the Commission for possible review under its discretionary powers any such applications that propose construction that in the opinion of the Department staff would result in detrimental effects on the surrounding residential neighborhood; and

"BE IT FURTHER RESOLVED, That the Zoning Administrator is hereby directed to send copies of this Resolution to the Board of Realtors and such other groups or persons as he believes could provide notice of this Resolution to potential applicants for church or non-profit elementary and secondary schools."

In conclusion, Mr. Passmore stated that the draft resolution, if adopted, would be voided whenever the Commission adopts a resolution announcing its intention to consider amendment of the City Planning Code in accordance with the recommendations which will be forthcoming from the City-Wide Comprehensive Residential Zoning Study.

Charles B. Stark, Jr., President of the Jordan Park Improvement Association, stated that his organization was concerned about the possibility that St. Gregory's Armenian Apostolic Church would demolish the old Jordan residence at 51 Commonwealth Avenue for construction of a new parish house; and his organization had intended to request the Commission to conduct a discretionary review of the building permit application for the new facility whenever it is filed. Under the circumstances, they hoped that the Commission would act favorably on the draft resolution which was presently under consideration. He also submitted a list of factors which he felt should be considered by the Commission as building permit applications for new churches and schools in residential districts are considered under the Commission under its discretionary review authority.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7283.

REVIEW OF FINAL PLANS FOR 16 TWO-FAMILY DWELLINGS IN THE MIRA GLEN SUBDIVISIONS ON VALLETTA COURT AND MALTA DRIVE AS REQUIRED BY CONDITIONS OF CITY PLANNING COMMISSION RESOLUTION NO. 5758 WHICH AUTHORIZED THIS SUBDIVISION AS A PLANNED UNIT DEVELOPMENT.

Russell Watson, Planner II, reported on this matter as follows"

"Before you today for your review as a condition of City Planning Resolution 5758, dated March 26, 1964, authorizing a Planned Unit Development of 119 dwelling units at R-1 density, located along Malta Drive, are the final building plans for 16 duplex units.

"These dwellings differ somewhat in detail from the original plans submitted in 1964, but are consistent with the general intent of the planned unit development authorized.

"The duplex units, to be developed by Hayman Homes, Inc., consist of one primary three bedroom, two bath unit and a one bedroom, one bath rental unit, referred to as Plan A. An alternative floor plan, Plan B, consists of the same three bedroom, two bath unit, however, the lower unit is expanded into a three bedroom, two bath, two level dwelling. Plan A is proposed to sell for approximately \$110,000, while Plan B is proposed to sell for approximately \$125,000. The dwellings have been designed to include building setbacks, view protection for adjacent properties, professional landscaping of all open space and setback areas, use of natural building materials and the maximum development of each lot's view potential."

In conclusion, Mr. Watson stated that the proposed structures had been architecturally designed and had undergone extensive design analysis; and he indicated that the staff of the Department of City Planning recommended that they be approved.

A member of the audience asked if the Commission can exercise control over floor plans of new buildings being proposed.

Dean L. Macris, Director of Planning, replied that the Commission is primarily concerned with the exterior appearance of new buildings and the location of the buildings on the lots which they are to occupy.

Commissioner Ritchie stated that the Commission does occasionally become concerned about the floor plans of new buildings, as in the case of a 33-unit apartment building recently proposed in which all of the bedrooms would have faced on light courts.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda and carried unanimously that the plans be approved as submitted.

At 3:00 p.m. President Newman announced that the meeting was recessed. Members of the Commission and staff then departed from 100 Larkin Street to take a field trip to properties to be considered during the Zoning Hearing to be held on February 6, 1975.

The meeting was adjourned at 4:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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DOCUMENTS

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, February 6, 1975.

The City Planning Commission met pursuant to notice on Thursday, February 6, 1975, at 1:45 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Sidney Shaw, Planner IV; William Duchek, Planner III; Alan Billingsley, Planner II; Gary Craft, Planner II; Douglas Holmen, Planner II; John Mackie, Planner II; Paul Rosetter, Planner II; Nathaniel Taylor, Planner II; and Lynn E. Pio, Secretary.

Donald Canter, represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the minutes of the meeting of December 19, 1974, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the City-Wide Comprehensive Plans Committee (Commissioners Newman, Mellon, and Ritchie) of a meeting scheduled next Thursday, February 13, to review the proposed Community Development Program.

The Director reported that he had been advised by officials in Washington, D.C., that San Francisco's Environmental Impact Report/Statement on the Proposed Community Development Program is the first report of this sort to have been received.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Report of the Special Agent in Charge, dated 10/1/54

The case concerns the activities of the Communist Party, U.S.A., in the city of New York, N.Y., and is being handled as a matter of internal security.

On 10/1/54, the New York Office received information from the New York City Police Department, Bureau of Identification, that the following individuals are members of the Communist Party, U.S.A., in New York City:

1. [Name], born [Date], residing at [Address], New York City, N.Y.

2. [Name], born [Date], residing at [Address], New York City, N.Y.

3. [Name], born [Date], residing at [Address], New York City, N.Y.

4. [Name], born [Date], residing at [Address], New York City, N.Y.

5. [Name], born [Date], residing at [Address], New York City, N.Y.

CURRENT MATTER

The New York Office is currently handling the case of [Name], born [Date], residing at [Address], New York City, N.Y., who is a member of the Communist Party, U.S.A.

The New York Office is currently handling the case of [Name], born [Date], residing at [Address], New York City, N.Y., who is a member of the Communist Party, U.S.A.

The Director informed the Commission that the Board of Supervisors, meeting on Monday, had voted to over-rule the Commission and to approve an automobile wrecking yard at 565 Bryant Street.

At 1:58 p.m. President Newman announced a two minute recess. The Commission reconvened at 2:00 p.m. and proceeded with hearing of the remainder of the agenda.

At this point in the proceedings, Commissioner Rueda arrived in the meeting room and assumed his seat at the Commission table.

CU75.2 - 1335 LAKE STREET, SOUTH SIDE, 90 FEET EAST OF
15TH AVENUE.
REQUEST FOR AUTHORIZATION TO RENOVATE AND
ENLARGE THE EXISTING RESIDENTIAL CARE FACILITY
TO ACCOMMODATE A MAXIMUM OF 14 PERSONS;
IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has an area of 4500 square feet. He stated that the building occupying the site was converted from a single family home to a residential care home for 6 elderly patients approximately 5 years ago. The applicant was now proposing to construct an addition on the rear of the building in order to increase the number of bedrooms from five to seven and the number of bathrooms from four to five so that the building would be able to accommodate a maximum of 14 patients.

President Newman stated that the Commission had received four letters in opposition to the subject application, including one from N. Arden Danekas, President of the Planning Association for the Richmond, which read as follows:

"I write this both as a nearby neighbor (I reside at 131 ÷ 14th Ave.) and as president of PAR.

"In the block fronting on 14th Ave., just around the corner from this Lake St. address, there are two single-family homes already joined together to make a rest home. This proposal at 1335 Lake therefore would make three such single-family homes extensively remodelled for non-family use.

"Saving family housing of neighborhoods such as ours is of paramount importance. I also believe that your Department has guidelines as to how many facilities are to be concentrated in any one area, and in light of these, the expansion at the Lake St. location should be denied."

The Adjutant General is the only one of the four branches of the Adjutant General's Office who is not a member of the Adjutant General's Association. He is the only one who is not a member of the Adjutant General's Association. He is the only one who is not a member of the Adjutant General's Association.

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Joe Williams, Attorney for the applicant, stated that his client had spent a great deal of money to bring the subject building up to code standards. He stated that his client wished to extend the rear portion of the building by 4 or 5 feet; and, while the application had stated that the remodeled building would accommodate a maximum of 14 patients, his client intended to increase the number of patients only to a maximum of 12. He stated that there are a number of apartment buildings in the neighborhood; and, as a result, he did not feel that the proposed use of the subject property would be incompatible with other uses in the area.

James Dierkes, architect for the applicant, described renderings which he had prepared of the proposed addition to the subject building, explaining that an existing fire escape on the rear of the building would be incorporated into the new structure, thus improving the appearance of the building.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele, replying to one of the points raised in Mr. Danekas' letter, stated that there is a residential care home immediately adjacent to the subject property which cares for 6 patients; and, in addition, two residential care facilities exist on 14th Avenue, one having only 1 patient and the other having three patients. Under the circumstances, he did not feel that approval of the subject application would cause the neighborhood to be impacted with residential care facilities. He then stated that it was the Director of Planning's recommendation that the application be approved subject to six specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Williams replied that his client had indicated that the conditions would be acceptable.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7284 and that the application be approved subject to the conditions which had been recommended by the staff.

The following is a list of the names of the persons who have been appointed to the various positions in the Department of the Interior, and who have been sworn in as such, since the 1st day of January, 1898, to the 1st day of January, 1900.

A list of the names of the persons who have been appointed to the various positions in the Department of the Interior, and who have been sworn in as such, since the 1st day of January, 1898, to the 1st day of January, 1900.

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EE74.70 - BLOCK BOUNDED BY CAROLINA, 19TH, WISCONSIN
AND 20TH STREETS.

CONSIDERATION OF A DRAFT ENVIRONMENTAL IM-
PACT REPORT PREPARED IN CONNECTION WITH
CONDITIONAL USE APPLICATION CU74.36.

Douglas Holmen, Planner II, summarized the draft Environmental Impact Report for the proposed project.

Subsequently, the Commission received testimony from members of the audience including Ronald Davis, 611 Rhode Island Street, Abigail Langham, 1924 20th Street, Sandra Nichols, 515 Wisconsin Street; Patrick Saumidge, 929 Carolina Street; Mrs. Charles Babineau, 553 Arkansas Street, and Babette Drefke, 701 Kansas Street.

Selina Bendix, Environmental Review Officer, responded to comments which had been made by members of the audience and indicated that their comments would be summarized and included in the final Environmental Impact Report together with data sheets and certain text amendments which had been placed before each of the members of the Commission. She then recommended that the Environmental Impact Report, as revised, be certified as complete.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7285 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated February 6, 1975, concerning EE74.70: Victoria Mews Condominium Development is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the - project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission, before acting on the project itself under case numbers CU74.36 and ZM74.5, does hereby certify that it has reviewed and considered the information contained in said Final Environmental Impact Report."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU74.36 - BLOCK BOUNDED BY CAROLINA, 19TH, WISCONSIN AND 20TH STREETS.
REQUEST FOR AUTHORIZATION TO PERMIT THE CONSTRUCTION OF A PLANNED UNIT DEVELOPMENT CONSISTING OF APPROXIMATELY 91 CONDOMINIUM DWELLING UNITS ARRANGED SO THAT THE REAR YARD AND OTHER OPEN SPACE WOULD BE COMBINED IN AN AREA COMMON TO ALL UNITS RATHER THAN IN PRIVATE YARDS AS OTHERWISE REQUIRED; IN AN R-3 DISTRICT

William Duchek, Planner III, remarked that both the subject property and the nature of the project being proposed had been described during the course of the public hearing on the Environmental Impact Report which had just been concluded. He stated that the applicant had requested permission to construct 91 residential condominium units in 31 three-story and three-story plus basement buildings to be known as "Victoria Mews". The project would cover approximately 34 per cent of the site which has an average slope of approximately 25 per cent. Planned Unit Development authorization would be necessary for the project in order to permit the developer to arrange the structures on the site in such a way as to: 1) provide an underground 75 space parking garage with two tennis courts above at the lower end of the site to supplement the 23 spaces located in the basement of the buildings at the upper end of the site; 2) to substitute common open space areas which would contain a swimming pool and recreation area in place of rear yards as otherwise required by the Code; and 3) to arrange the buildings in such a way that the dwelling units could take better advantage of the view.

Mr. Duchek then referred to a model which was on display in the meeting room to describe the location of the proposed buildings on the site. He indicated that the applicant proposed to install a considerable amount of landscaping around the perimeter of the site; and, if permission could be obtained, the applicant intended to make improvements in adjacent street right-of-ways for perpendicular parking and additional landscaping. While the applicant had requested permission to construct 91 dwelling units on the site, he hoped that it would be economically feasible to remove some of the units proposed for the southwest corner of the site; and the model was based on that alternate plan.

President Newman stated that the Commission had received a great deal of correspondence concerning the subject application, including letters from State Senator George R. Moscone and Assemblyman John Francis Foran. Senator Moscone's letter read as follows:

THE UNIVERSITY OF CHICAGO

"During the last few days a number of Potrero Hill residents have come to me with their objections to the proposed 'Victoria Mews' condominium that is being considered by the City Planning Commission on February 6. These residents feel that this project is not consistent with the needs of the Potrero Hill neighborhood and that the specific issues they have raised have not been appropriately addressed by the developer or the Department of City Planning.

"I believe, as I am sure you do, that the residents of our City's neighborhoods should participate in deciding how their neighborhoods will be developed. Therefore, I urge you to request that the City Planning Department convene a meeting between the concerned residents, the project's developer, and the Department of City Planning to discuss resident objections prior to any decision on approval or disapproval of the conditional use application before the Commission."

Assemblyman Foran's letter read as follows:

"It is my understanding that the City Planning Department is currently drawing up a master zoning plan for residential neighborhoods, and is seeking citizen participation from residents.

"This process allows concerned residents to have a voice in determining the future of their community, and I strongly support this process.

"However, it would seem that approving the Victoria Mews development on Potrero Hill before such a citizen involvement process is completed negates the intention of establishing such a process.

"Victorial Mews will be a major development on Potrero Hill and will change the environment substantially. I would respectfully urge delay of approval until the citizen input into the zoning plan is completed."

President Newman stated that the Commission had received a petition with 148 signatures in opposition to the proposed development because it would interfere with existing views. During the course of the Environmental Impact Report hearing, another petition had been submitted containing signatures of 458 residents of Potrero Hill and 131 residents of other parts of the city in opposition to the proposed develop-

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1. The first of these is the fact that the system is not a simple one. It is a complex system, and the results of the analysis are not always clear. The system is a complex one, and the results of the analysis are not always clear. The system is a complex one, and the results of the analysis are not always clear.

The following information was obtained from the records of the Bureau of Prisons, Department of Justice, Washington, D.C., regarding the activities of the above named individual:

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ment. The Commission had also received a petition containing 212 signatures in favor of the development and 27 letters indicating support of the proposal.

Raymond Bright, the applicant, stated that he agreed with Senator Moscone and Assemblyman Foran that neighborhood participation is very important when new developments are being proposed. In that regard, he advised the Commission that he had worked continuously with residents of the neighborhood since planning for the proposed development was initiated in June, 1973. He stated that he had talked with a number of people before preliminary plans were prepared in March, 1974; and, when those plans were available, he had sent letters to all property owners within a 300 foot radius of the subject property inviting them to attend a meeting where the plans and model of the proposed project were presented and explained. Finally, in May, 1974, a modified plan similar to that which was now before the Commission was proposed. Subsequently, in June, 1974, he had learned that a group had been formed to oppose the development. He had managed to arrange two brief meetings with that group; but no further contact was achieved. On January 16, 1975, he had given door-to-door notice of another public meeting which was held at the Potrero Hill Junior High School for a general discussion of the proposed development.

Mr. Bright advised the Commission that he had lived on Potrero Hill since 1963; and he indicated that he intended to continue to reside in the neighborhood. He remarked that the City Planning Code would permit development on the site to reach a height of 40 feet above 20th Street; and, if such a development were to be undertaken, it would be ugly and massive. He observed that the subject property is being used as a "garbage dump" at the present time; and he felt that the proposed development would be preferable to existing circumstances. Furthermore, property owners on Potrero Hill have experienced difficulty in obtaining mortgages and home insurance; and he believed that the proposed project would help to encourage lending institutions and insurance firms to change their policies with regard to Potrero Hill. He stated that he had two alternate plans for the proposed development which he referred to as Plan "A" and Plan "B". Plan "A" would involve the construction of 91 dwelling units on the site whereas Plan "B", the alternate which he favored, would result in the construction of only 87 dwellings units. He stated that the site would be fenced. He hoped to obtain permission to landscape certain portions of the rights-of-way on Carolina and 20th Streets so that they could be used as mini-parks. He remarked that the height of many of the buildings in the proposed development would really be quite low; and he felt that their impact would be considerably less than the impact of the buildings which would result if the property were developed on a lot-by-lot basis with 40 foot high buildings along 20th Street. He stated that the project would consist of 2- and 3-bedroom dwelling units with the 3-bedroom units being located near the top of the hill. The project would have a security system; and he hoped that it would be possible to integrate the security system with a fire protection system. Since he had not yet determined what the construction cost

would be for the proposed project, he had not been able to estimate the purchase price for individual units in the project. He distributed copies of a rendering which had been prepared to show the probable appearance of one of the buildings to be constructed in the project, noting that an attempt would be made to give the buildings an authentic victorian appearance. In conclusion, he urged that the subject application be approved.

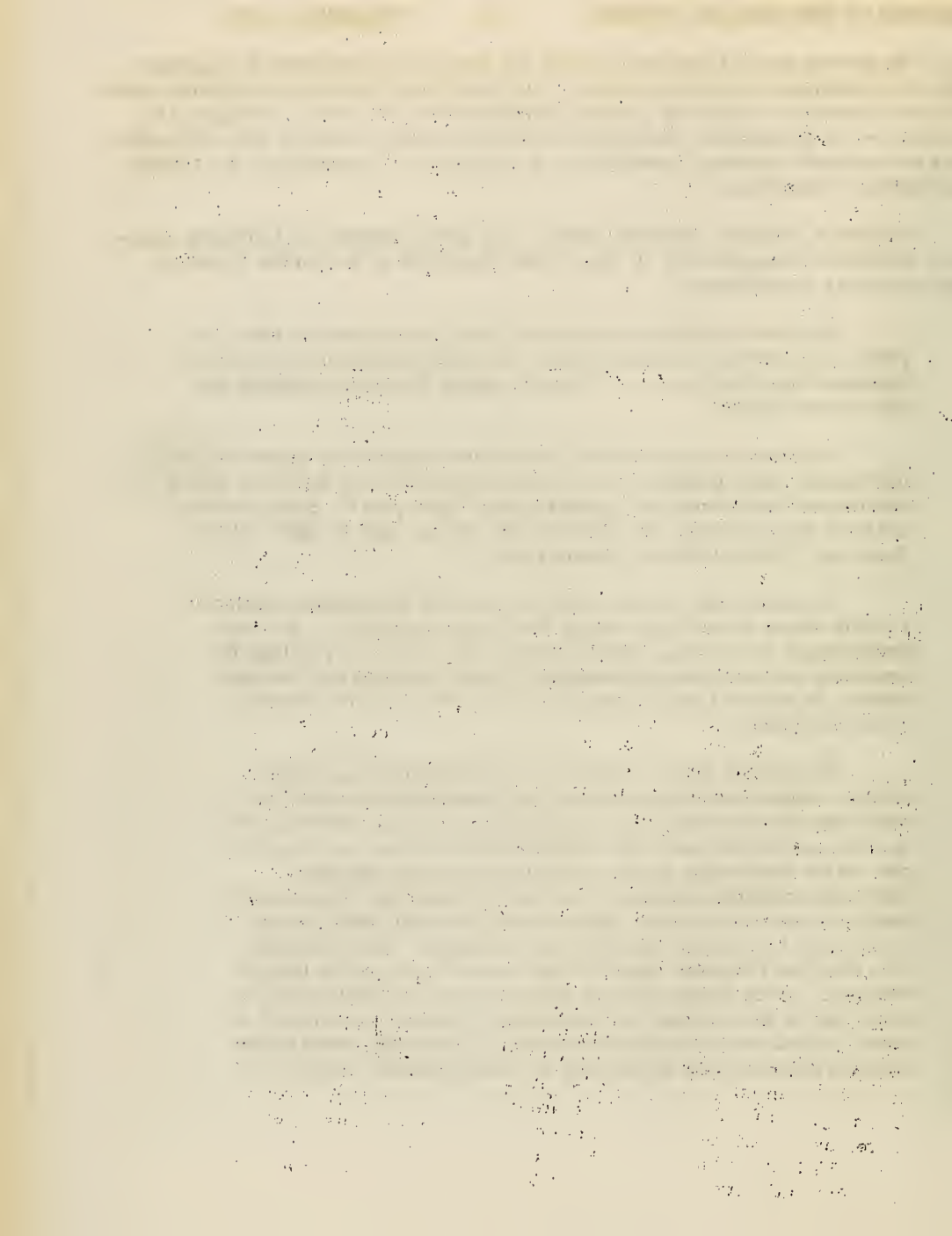
Richard E. Volland, 518 Utah Street, read and submitted the following statement which had been prepared by Thyra Byrd, President of the Potrero Boosters and Merchants Association:

"We have 500 paid members that have been active for about 50 years in upgrading our neighborhood, and this Commission knows have appeared here many times. We are composed mostly of moderate and low income people.

"Opponents to the Victoria Mews have alleged this proposed project would create rupture in our economic posture-- we welcome such a rupture and have fought for upgrading over many years. Since we have not been able to obtain this from the city we are glad to have private financing 'Take a liking to Potrero Hill'.

"San Francisco needs a more imaginative development such as Victoria Mews to bring out people back from the suburbs. No new development in the city, except perhaps John Muir has provided the amenities or open space as proposed by the developers of Victoria Mews. In fact he has changed plans five times for the betterment of his neighbors.

"1) Increase Taxes: Certainly a structure costing several million dollars would create some badly needed tax for the City and might attract tenants who might otherwise would retreat to the suburbs and further erode our diminishing tax rolls, at a time of city crisis moneywise and the schools considering dropping scholastic athletic programs. Any really concerned citizen would certainly not be asking the city for what they call badly needed substantial low income property with subsidies. Even ABAG admits that San Francisco has it's Fair Share of Low and no income housing. As for Potrero Hill we are composed of a little over 200 acres and of this acreage 15% is devoted to public housing and at least 7% that we know of in the Section 23 (housing rented by the Housing Authority and turned over to public housing) with a city



wide average of 1.5% a fair Share.? Indeed it is not for it is 10 times greater for Potrero Hill.

"2) Opponents claim the Victoria Mews would increase the cost of rent for Community residents. Have they tried to rent a house on the Hill recently.? Houses that use to rent for fifty dollars a month are now renting for three hundred and up. They are crying wolf at the door at a time when he has entered and had pups.

"3) Create a fortress for the elite.? A meaningless stringing together of words for effect. Who uses this property for access to anywhere.? Certainly no one unless their bag is risking breaking a leg or neck in the weed infested, dog dung cliff.

"4) Course environmental damage - How? Has a plot of land that the Boosters have had to get people to clean-up time after time done anything for the environment.?

"5) Parking Problems: Victoria Mews has more off street parking than it has apartments.

"6) Air Pollution: Certainly no more than the buses provided by the City for public transportation. Gasoline shortages pretend that none of us will be polluting the air with our car in the future.

"7) Excessive Noise: Do they expect the residents of the Mews to be out on the streets shouting and yelling with hi-fies connected to loud speakers as has happened many times in the past on the Hill.

"8) Destroy Open Space: Yes, but so would any other construction and certainly there WILL BE CONSTRUCTION THERE, that may be of greater density and not so tastefully done.

"9) Public Vista: Yes it will destroy partially a gorgeous view, but where were they when the most spectacular view in the city at 20th and Rhode Island Street was destroyed by what in my most personal opinion is a monstrosity. I have never heard a word from anyone but the Boosters against the building now under construction on De Haro Street off 20th with NO OFF

STREET PARKING. One wonders if these citizens have valid objections or vested interests.

"10) Play Space: Who plays there? No mother would allow her children to play in such a potentially dangerous spot.

"11) Rehabilitation of existing structures is certainly a valid idea but that is up to the owners of said structures, and has nothing to do with Victoria Mews private financing.

"Lastly all of us remember the Poppies and wild flowers that grew on Potrero Hill in the days gone by. Some even remember when the street cars were drawn by horses, but that is gone.

"Let us live in today's world and have some housing that would up-grade the neighborhood, and perhaps keep some middle class or upper income residents from fleeing to the suburbs.

"If your property is taxed at higher rates it is because it has become more valuable, and the tax structure has been changed in Sacramento.

"If you really want your tax dollar to go further what you need is new construction to house people that will not need subsidies.

"The government money comes from us, and the government is not a money making institution. Whenever you are looking for a hand-out remember it has to be taken from one group of people before it can be handed out to another."

After reading the prepared statement, Mr. Volland stated that he wished to add his personal endorsement to the project.

In reply to a question raised by President Newman, he stated that the Board of Directors of the Potrero Boosters and Merchants Association had voted to give its approval to the proposed development.

Mary Schnitzius, 506 Mississippi Street, stated that Potrero Hill has more than its share of low-income housing; and she felt that more expensive dwelling units were needed to balance the composition of the neighborhood. She stated that she was quite impressed with the proposed project; and, although she felt that she probably would not be able to afford to live in the development, she was not opposed to the construction of a high-security residential project for the benefit of those

[The text on this page is extremely faint and illegible. It appears to be a multi-paragraph document, possibly a letter or a report, with several lines of text visible across the page.]

who can afford such accommodations. She stated that the subject property serves no purpose for the neighborhood at the present time; and she believed that the development presently being proposed was the most desirable project which could be expected on such a steep slope.

Charles Peterson, 1447 20th Street, stated that he had lived on Potrero Hill for more than 15 years; and, during that time, it seemed to him that the City had relegated all of its most undesirable uses to the southeast portion of the city. That area now has most of the city's public housing, and all of its automobile wrecking activities. It has had three drug rehabilitation centers and six waran Poverty programs. In addition, an airport, a heliport, and a footing for a new southern bridge crossing had been proposed in the area. The Wisconsin Street public housing site is now available for development; but no private developers have expressed interest in acquiring that land even at a token cost. He informed the Commission that two dead bodies and many dead dogs and cats have been found on the subject property in addition to a continual accumulation of debris. Under the circumstances, he felt that it was inconceivable that people could be opposed to the project which was being proposed since it seemed to him that the project would unquestionably make the area more livable, respectable, and enjoyable. He urged that the application be approved.

Jim Queen, 1111 Wisconsin Street, advised the Commission that a dialogue is beginning to be established between the residents of Potrero Hill; and he felt that the proposed development, which would provide housing which could be afforded only by people wealthier than those presently living on the hill, would change the character of the neighborhood and ruin the dialogue which has begun to take place.

Maria Vermiglio, a resident of Rhode Island Street, stated that she had been informed that the North Point Sewage Treatment Plant is not operating effectively; and, under the circumstances, she questioned whether it would be able to handle the sewage which would be generated by the proposed project. She also noted that the Board of Supervisors is considering a new subdivision ordinance; and, since that ordinance would affect a project such as the one presently under consideration, she felt that a final decision on the project should be deferred until the subdivision ordinance has been enacted. Finally, she felt that it would be desirable for the Commission to defer action on the proposed project until the City-Wide Residential Zoning Study has been completed.

Frederika Evans, 1745 20th Street, stated that she lives diagonally across the intersection from the subject property; and she indicated that the proposed project would destroy the view which she presently enjoys from her home. She remarked that residents of Potrero Hill have enjoyed excellent communication with one

another, particularly when issues concerning children or safety are being considered; but she indicated that she had never seen apartment dwellers represented at any of the numerous meetings which have been held in the neighborhood. Apartment dwellers have not been assimilated into the life on the hill; and she did not know how the residents of the proposed project could be assimilated. She remarked that the existing vacant property is not really such a horror as other people had claimed; and she felt that approval of the subject application would be tantamount to telling people with children that they should live elsewhere other than in San Francisco.

Walter Jones, 604 Mississippi Street, believed that construction of the proposed project would have a positive beneficial effect in terms of encouraging insurance companies to be more willing to insure property owners in the neighborhood.

Mary Rahmer, 741 Rhode Island Street, stated that the existing vacant lot is not in a condition to be enjoyed by residents of the neighborhood. She described Potrero Hill as a very quiet neighborhood; and she felt that the people who would occupy the proposed dwelling units would enjoy living in the area. She stated that she was in favor of the project.

James Holley, Housing Specialist on the staff of the Human Rights Commission, made the two following points:

"I. Low and Moderate Income Occupancy as defined in the Proposed Subdivision Ordinance (Sec. 1341) - states that in projects with (50) or more units the Subdivider shall make available 10% of the units for Low and Moderate income housing. The Human Rights Commission has recommended to the Board of Supervisors that this be increased to 20%.

"The Community Development and Housing Proposal projects approximately 250 units, for use in major market rate developments including condominiums for the purpose of improving economic integration.

"II. In accordance with proposed Subdivision Ordinance, Sec. 1385 (Letter I) a condominium conversion is required to have an affirmative action sales program. The Human Rights Commission has recommended to the Board of Supervisors that new condominiums also be required to have an affirmative action sales program.

"Therefore, I hope you will consider these two factors in your decision about the conditional use permit for Victoria Mews: a requirement that the developer apply for federal funds for 20% of low and moderate income units; and a requirement that the developer have an affirmative action sales program that meets the criteria in the Subdivision Ordinance before the Board of Supervisors."

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Dick Millet, 1527 20th Street, stated that he was in favor of the proposed project since it would involve the investment of a major amount of private money in the subject neighborhood. He stated that he had been anxious to improve his own property; but he had found that lending institutions are not interested in dealing with property owners in the subject neighborhood. Under the circumstances, he felt that the construction of the proposed project might bring about a "breakthrough", making the subject neighborhood more attractive to lending institutions. Furthermore, he thought that development of the subject block as proposed by the applicant would be preferable to a lot by lot development in which unusable rear yard areas would soon turn into "slums."

Sandra Nichols, 515 Wisconsin Street, noted that the applicant had advised the Commission that he had two alternate plans for the site but that he preferred the alternate with fewer dwelling units; however, he had also stated that development of the alternate plan with fewer dwelling units would be contingent on economic factors. Given the present problems of the economy, she expected that the alternate plan with a greater number of dwelling units would inevitably be built on the site.

Commissioner Mellon asked Mrs. Nichols if she objected to the alternate plan with fewer dwelling units. Ms. Nichols replied that she would prefer that the site be developed with even less units than the applicant was proposing in the alternate plan.

Lee Van Winkle, 375 Texas Street, stated that he works in Palo Alto but lives on Potrero Hill because he likes the racial and economic mix of the neighborhood. He realized that the neighborhood is not presently attractive to other sorts of people; but he felt that the "enclave" being proposed would attract people to the neighborhood who would not consider living in it at the present time. He also felt that the configuration of open-space in the proposed development would be much better for children than individual backyards which would result if the block were developed on a lot by lot basis.

Jules Haywood, 760 DeHaro Street, indicated his support for the proposed project. While previous speakers had objected to the proposed development on the basis that the new dwelling units would be more expensive than other housing in the neighborhood, he advised the Commission that he had paid \$35,000 for a small house which needed a great deal of work in the 1950's. Under the circumstances, he felt that the existing housing in the subject neighborhood is not as inexpensive as some people apparently believe. In any case, the people who would occupy the proposed development would still be human beings just like the rest of us. While the proposed development would result in the loss of a portion of the view from his home, he supported it because it would result in an improvement of the neighborhood.

Kathleen Ramos, 634A San Bruno Avenue, spoke in opposition to the project. She felt that it would change the character of the neighborhood, making it a less desirable place to raise children.

Patrick Saumidge, 929 Carolina Street, questioned why vacant land must always be regarded in a bad light until it is filled up with buildings. While several of the previous speakers had referred to the subject vacant parcel of property as a "trash heap", he regarded its condition as merely a visible manifestation of our "throw-away" culture. He felt that the proposed project would increase the assessed valuation of other properties on Potrero Hill; and, as a result, it would increase the pressure for higher density development on smaller lots in the neighborhood. For those reasons, he was opposed to the project.

Jim Firth, 577 Arkansas Street, remarked that projects such as the one presently being proposed have the result of replacing low-and moderate-income families with children with professional people who are richer, thus changing the composition of the city; and he felt that it was time to start disapproving such projects.

Muriel Redstone, 549 Wisconsin Street, remarked that the neighborhood would have to suffer through 16 months of construction work if the proposed project were approved; and, following completion of the project, there would be insufficient parking for tenants of the development and their guests. She indicated that her preference would be for the property to remain in its present state.

Richard Reineccius, 653 Arkansas Street, remarked that the trend in Europe is to remove walls and barriers so that housing and open spaces can be enjoyed by everyone. He stated that he has three children and that he does not have a swimming pool; and he believed his children would be resentful if the proposed project were developed with a swimming pool with a wall around it.

Mrs. Evans remarked that an open swimming pool in the middle of the proposed development would be dangerous; and, since it had been included in plans for the project, she assumed that the development would not house families with children.

Babette Drefke, 701 Kansas Street, noting that several individuals had expressed the opinion that the subject property should be used for low-income housing, advised the Commission that a low-income housing development had existed across the street from the subject site but was found to be unnecessary and was removed for construction of a new junior high school.

Madeline Solari, a resident of the neighborhood since 1911, felt that the area deserved to have a decent housing development at long last.

President Newman asked for a show of hands of individuals present in the audience in support of the subject application. Approximately 60 people responded. He then asked for a show of hands of those present in opposition to the proposal and received a response from approximately 30 individuals.

Mr. Steele remarked that the planned unit development, as proposed, would allow the buildings to be arranged on the steep site with better orientation than would otherwise be possible. In addition, the proposed plans would provide for recreational facilities which would be available to residents of all of the proposed units. Furthermore, he believed that construction of the well designed and attractive dwelling units being proposed would be a beneficial addition to the housing stock of the neighborhood and of the city. Therefore, it was the recommendation of the Director of Planning that the application be approved subject to 12 specific conditions which were contained in a draft resolution which the staff had prepared for consideration by the Commission. Mr. Steele then summarized and commented upon the conditions which were contained in the draft resolution.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicant. Mr. Bright replied in the affirmative.

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Fleishhacker that the draft resolution be adopted.

President Newman, noting that the draft resolution would allow construction of either the 87 unit plan or the 91 unit plan, asked if the applicant felt that he could not commit himself to the 87 unit alternative without additional financial information. Mr. Bright replied that he had never been involved in a construction project before; and, under the circumstances, he felt that it was important to have the leeway which would be provided by alternate plans.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7286 and to approve the application subject to the conditions which had been recommended by the Director of Planning.

ZM74.5 - BLOCK BOUNDED BY CAROLINA, 19TH WISCONSIN
AND 20TH STREETS.
R-3 TO AND R-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), remarked that the subject application involved the same parcel of property as the previous application which had just been acted upon by the Commission. He stated that the application had been filed by several individuals who are property owners and residents within 300 feet of the subject property. If the subject application were approved, the project which had just been authorized by the Commission would still be permitted since it has been the policy of the Commission to permit planned unit developments to reach a density approaching that of the next less restrictive district. If the property were re-zoned to R-2, the Commission could authorize development of the site with a density approximately that of R-3, which would be 100 dwelling units; and the maximum which the developer proposed to construct on the site was 91 dwelling units.

Abigail Langham, one of the applicants, stated that the purpose of the application had been to prevent construction of the "Victoria Mews" project since that project would not be consistent with the density of the surrounding neighborhood; and she indicated that she was sorry to hear that approval of the application would not block the project.

Raymond Bright, owner of the subject parcel of property, asked if a change of zone from R-3 to R-2 would affect his property in any way. Mr. Steele replied in the negative.

Mr. Bright then observed that all other properties in the subject neighborhood are zoned R-3; and he did not think that it would be fair to re-zone a single block to R-2.

No one else was present in the meeting room to be heard on this matter.

Mr. Steele stated that it was the Director's recommendation that the subject application be disapproved. He remarked that the Residence element of the Comprehensive Plan calls for properties in the subject neighborhood to be developed at a medium density. He also pointed out that the subject property is vacant and that it could therefore be developed with housing without removing existing moderately priced housing. He stated that the Implementation Plan for the Residence element of the Comprehensive Plan identifies the subject property as a potential site for new housing construction; and he indicated that the city-wide objective of increasing the housing supply would not be promoted by the proposed reclassification. Finally, he stated that the applicants had not demonstrated that the proposed reclassification would be necessary or desirable for the general welfare.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7287 be adopted and that the subject application be disapproved.

AM74.8 - INNER SUNSET AREA GENERALLY BOUNDED BY LINCOLN WAY, TENTH AVENUE, KIRKHAM STREET, AND FUNSTON AVENUE; AND 550 KIRKHAM STREET.
PROPOSAL TO CHANGE THE ZONING CLASSIFICATION OF THOSE PROPERTIES WITHIN THE AREA DESCRIBED WHICH ARE PRESENTLY WITHIN R-4 AND R-3 DISTRICTS TO R-2 DISTRICTS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), advised the Commission that the area under consideration for reclassification is comprised of 150 lots having an area of approximately 10.09 acres. Fifty of the lots, comprising approximately 3.31 acres, are presently zoned R-4. The remaining 100 lots, comprising approximately 6.78 acres, are zoned R-3. 58 of the lots are occupied by single-family dwellings, 41 by two-family dwellings, 17 by three-family dwellings, and 34 by buildings containing between 4 and 18 dwelling units.

At 4:30 p.m. President Newman announced a 15 minute recess. The Commission reconvened at 4:45 p.m. and proceeded with hearing of the remainder of the agenda.

President Newman announced that the Commission intended to continue the public hearing on the Environmental Impact Report for the proposed Golden Gate Heights Residential Housing Development until the meeting of February 20. However, if anyone was present in the audience who would not be able to attend the meeting on February 20, the Commission would hear their testimony at the conclusion of the hearing on the Inner Sunset rezoning.

Richard Meyer, 1250 11th Avenue, identified himself as one of the applicants and indicated that the subject application had been filed to clean up and complete the re-zoning of the Inner Sunset neighborhood which had been initiated in 1973. He then introduced John Bardis, Co-Chairman of the Inner Sunset Re-zoning Project.

Mr. Bardis advised the Commission that residents of the neighborhood had begun work on their re-zoning project two years ago before the staff of the Department of City Planning undertook its City-Wide Residential Zoning Study. He pointed out maps on the wall which showed existing land use and zoning in the subject neighborhood as of October 1, 1973, the neighborhood's initial proposal for re-zoning, the re-zoning action taken by the City Planning Commission in May, 1974, and the action taken by the Board of Supervisors on appeal in September, 1974. As time had passed

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they had found that their original proposal contained a serious mapping error; and, in addition, they had forgotten to include certain properties in the re-zoning request. In fact, when the matter had been before the City Planning Commission, a suggestion had been offered to the effect that some aspects of the re-zoning proposal should be "cleaned up". For those reasons, a new application had been prepared and was now before the Commission for review. Mr. Bardis emphasized that the proposed R-2 zoning would be consistent with the predominant development of the area; and he urged that the Commission approve the final clean-up and completion of his neighborhood's re-zoning project.

Mr. Meyer emphasized that the subject properties are an R-3 enclave in the midst of properties which have already been zoned R-2. He then introduced Allan Chalmers of 1231-12th Avenue. Mr. Chalmers, using the figures which had been cited by Mr. Steele, emphasized that the predominant form of development of the subject properties is single-family dwellings and duplex's. He also remarked that all of the subject properties are located east of Funston Avenue; and he indicated that he regarded Funston Avenue as a "natural barrier" between the subject neighborhood and other residential neighborhoods to the west.

Commissioner Fleishhacker, noting that the Commission had adopted Interim Residential Zoning Controls which would be in effect until such time as the Comprehensive City-Wide Residential Zoning Study is completed, asked Mr. Chalmers if he felt that those interim controls would be inadequate to protect the subject neighborhood against further damage if the R-3 zoning were to be retained. Mr. Chalmers replied in the affirmative. He stated that the neighborhood had deteriorate considerably during the last four years; and he believed that many of the bungalows in the area are susceptible to being torn down and replaced with apartment buildings as long as the R-3 zoning is in effect.

Commissioner Fleishhacker then asked Mr. Chalmers what type of buildings he felt should replace the bungalows if they should happen to fall down. Mr. Chalmers replied that he would like to keep the neighborhood as it is at present.

Commissioner Fleishhacker observed that most of the Sunset District had once been sand dune but had later been developed for residential use, probably to the dismay of some people who would have preferred no change. Mr. Chalmers likes the neighborhood the way it is at the present time. His own opinion was that change is inevitable and that one cannot permanently freeze things as they exist at a particular point in time.

Commissioner Porter, noting that Mr. Chalmers had stressed that many of the subject properties are developed with single family houses, asked why the applicant had not sought complete protection by requesting that the subject properties be re-zoned to R-1.

Mr. Chalmers stated that there are many two-family dwellings in the subject neighborhood; and he felt that older people might wish to convert their single family homes into duplexes in the future. He believed that the R-2 zoning which had been requested would give adequate protection to the neighborhood and would reflect the character of the area.

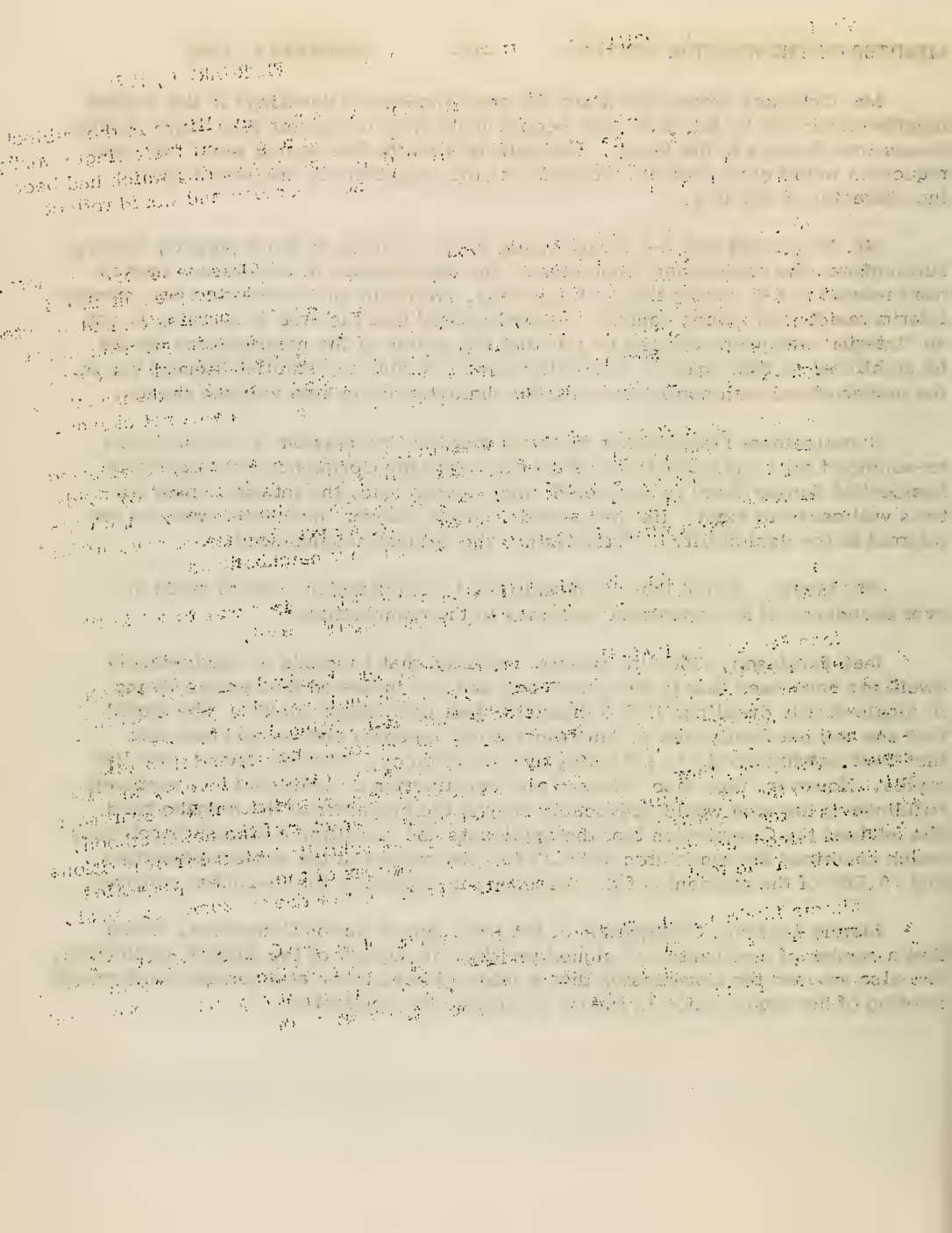
Mr. Meyer felt that R-1 zoning would place a burden on some property owners. Furthermore, the predominant character of the neighborhood at the present time is more related to R-2 zoning than to R-1 zoning. Although the Commission had enacted interim residential zoning controls, he emphasized that the area in question is not an "interim" neighborhood; and he felt that the zoning of the neighborhood should be stabilized so that families with children will be able to establish themselves in the neighborhood with confidence that the character of the area will not change.

Commissioner Fleishhacker remarked that the Commission is contemplating re-zoning of all residential areas of the city when the Comprehensive City-Wide Residential Zoning Study is completed; and, at that time, the interim zoning controls will cease to exist. He then asked what Mr. Meyer had meant when he had referred to the desirability of "stabilizing" the subject neighborhood.

Mr. Meyer stated that his definition of "stabilization" was to avoid an over abundance of R-3 apartment buildings in the neighborhood.

Jean Parkinson, 1360-11th Avenue, remarked that hundreds of single-family dwellings have been lost in San Francisco; and she indicated that people living in single-family dwellings in R-3 districts "feel like sitting ducks". She stated that she and her family live in San Francisco by personal choice; and they felt that their neighborhood has a healthy mixture of races, economic levels, and life styles. However, they also believed that construction of additional R-3 apartment buildings in the area would irrevocably change the character of the neighborhood. She advised the Commission that the applicants had submitted a number of petitions which contained the signatures of 59.73% of the owners of the subject properties and 76.56% of the residents of the properties in support of the re-zoning proposal.

Marcia Lindeen, Chairperson of the Inner Sunset Action Committee, stated that a number of merchants had signed petitions in support of the subject application. She also advised the Commission that a vote had been taken at a general membership meeting of her organization in August to endorse the application.



Mr. Meyer read the following statement on behalf of the Sunset Parkside Education and Action Committee:

"Last year the Sunset-Parkside Education and Action Committee gave testimony to both the City Planning Commission and the Board of Supervisors which supported the Inner Sunset Action Committee's petition to down-zone a portion of its neighborhood. Now ISAC is again petitioning to down-zone a remaining small adjacent area. Since this extension is a logical and necessary request to preserve this neighborhood, SPEAK must again present this statement made originally in a letter to the Planning Commission dated May 15, 1974, then again before the Board of Supervisors at their hearing on July 29, 1974.

"SPEAK shares the views of ISAC and the Inner Sunset community that unless this area is rezoned, it will be destroyed as a viable, residential neighborhood. The area is unique in the quality of its housing and the amenities it affords to the kind of family environment that is rapidly vanishing in San Francisco."

Emil Adams, 1249 12th Avenue, read the following letter which he had previously submitted to the Commission:

"In opposition to the proposed rezoning to R-2, permit me to explain my reasons.

"First, since the area and especially the block in which my property is situated, is saturated with new 4-family apartment buildings, it would be very unrealistic to rezone and make all these neat properties non-conforming.

"Secondly, they have in most places replaced old neglected cottages which detracted from the neighborhood and invited slovenly occupants. I would hope that more 4-family apartments would replace any such old relics that remain.

"Thirdly, the 4-family buildings have been built to include adequate parking for the vehicles of their occupants. The single-family older houses which were erected without the need for garages cause an over crowded parking situation.

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2. The second part of the report is a detailed description of the methods used in the study.

3. The third part of the report is a presentation of the results of the study.

4. The fourth part of the report is a discussion of the results and their implications.

5. The fifth part of the report is a conclusion and a list of references.

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"A rezoning to R-2 would perpetuate the older dwellings because their land value would prevent the present trend of improvements that I, as a long-time resident of the Sunset and of this block, have welcomed."

Viola Loftis, 1294-12th Avenue, stated that she represented a number of property owners who were strongly opposed to the proposed reclassification. She remarked that many people who had purchased property in the area had been willing to pay more money for their properties because the R-3 zoning gave them the option of constructing small apartment buildings in the future. She believed that there are many people who would like to live in the subject neighborhood; and, since apartments are not now available, she felt that additional apartment buildings are needed. She observed that a great deal of the Inner Sunset district had already been re-zoned to R-2; and she felt that some R-3 zoning should be retained so that apartment units can be constructed for people who might otherwise have to leave the city. She also suggested that the Commission should consult merchants in the area before taking action on the application since many of them are already experiencing difficulties which might be compounded if the subject application were to be approved.

Dennis Mosgofian, 1227-10th Avenue, stated that apartments are available in some of the apartment buildings which have been constructed in the neighborhood. He also advised the Commission that some of the residents of the neighborhood had mistakenly believed that Earl Realty was in favor of the proposed re-zoning and had signed petitions circulated by that firm. Five individuals owning seven pieces of property in the subject neighborhood had discovered their mistake and had requested that their names be removed from the realty firm's petition.

President Newman stated that the Commission had received letters from 27 individuals in support of the proposed re-zoning and from 4 individuals in opposition to the re-zoning.

Vincent Walsh, 1327-11th Avenue, identified himself as a contractor. He felt that there had never been any doubt as to which side Earl Realty had taken in the re-zoning dispute; but he felt that some of the tactics which had been used by proponents of the application in obtaining signatures on their petitions had been unfair. With the Interim Residential Zoning Controls in affect, he assured the Commission that there are no properties in the subject neighborhood which can be developed economically. Nevertheless, he did not want to have his property "down-zoned" until the Commission has had an opportunity to complete the Comprehensive City-Wide Residential Zoning Study. He stated that one side of the block in which he lives is developed with single family residences; and, since all of those pro-

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perties are subject to a setback which restricts the buildable size of the lots, he felt that there was no threat that any of the buildings would be torn down. In his opinion, the applicants did not really represent a majority of the residents of the neighborhood. Furthermore, while some people seemed to be afraid because a number of applications were filed for construction of apartment buildings on 10th Avenue, he remarked that situation was unusual and that the property owners were forced to file for building permits before the Interim Residential Zoning Controls went into effect; and he did not feel that a similar problem would arise in the subject neighborhood in the foreseeable future.

Mr. Steele remarked that the subject application should be considered as an extension of the action by the Board of Supervisors in approving previous reclassifications in the neighborhood, which applications had neglected to include two isolated lots. He also felt that extension of the R-2 zoning to Funston Avenue, where major building complexes form a natural barrier between the residential areas to the east and the west, would be appropriate. He stated that no vacant lots exist within the area to be reclassified; and he observed that existing improvements are generally well-maintained and in good condition. He also felt that reclassification to a zoning district which would be more in conformity with the scale and character of the existing buildings would encourage the retention and maintenance of the existing neighborhood fabric. He indicated that housing in the area is generally reasonably priced family housing which is in short supply throughout the city; and he remarked that new construction generally reduces the supply of family housing or increases the cost of such housing. Substantial neighborhood support had been shown for the reclassification proposal. For those reasons, it was the recommendation of the Director of Planning that the application be approved.

Commissioner Porter moved that the application be approved. She remarked that the community seems to be embarking on a new approach to residential improvement in which existing buildings are being renovated instead of being razed and replaced by unattractive new apartment buildings which have blighted many areas of the city. She personally believed that the subject neighborhood would benefit more from rehabilitation of the existing housing stock than from construction of new apartment buildings.

Commissioner Porter's motion failed for want of a second.

Subsequently, it was moved by Commissioner Rueda that the application be disapproved. Given the country's present economic conditions, and given the fact that the City Planning Commission had initiated Interim Residential Zoning Controls which would be in effect until such time as the Comprehensive City-Wide Residential Zoning Study is completed, he felt that the Commission should defer any further "down-zoning" until such time as the zoning study is completed.

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The motion was seconded by Commissioner Fleishhacker. He emphasized that the Interim Residential Zoning Controls had been enacted by the Commission to prevent undesirable R-3 construction pending completion of the City-Wide Residential Zoning Study; and he felt that those interim controls provide good protection for the City's residential neighborhoods. He stated that he certainly did not want to have the subject neighborhood spoiled in any way; and, because of the existence of the interim controls he did not believe that it would be in danger. He felt that the Commission should consider residential zoning standards throughout the city as a whole and that it should not react on a "piecemeal" basis to re-zoning requests filed by individual neighborhoods. Furthermore, he stated that he was still not convinced that sizable apartment buildings could not be constructed along Lincoln Way without harming the quality of the low density residential development on the avenues. In conclusion, he advised members of the audience that the Commission would be reviewing the situation in the subject neighborhood in approximately 1 and 1 1/2 years following completion of the City-Wide Residential Zoning Study; and he did not feel that any buildings of substantial size or with any significant detrimental impact would be developed in the subject neighborhood during the interim.

President Newman stated that he intended to support the staff and to vote against the motion for disapproval of the application. He felt that the applicants had done an admirable job in formulating their proposal to clean up the boundaries of the R-2 residential districts; and, while the interim residential zoning controls do provide protection for the neighborhood, he saw no reason not to approve the requested re-zoning at the present time.

Commissioner Mellon stated that he intended to vote in support of the motion. He noted that the Commission had previously taken the position that it would discourage any further "down-zoning" in residential neighborhoods until such time as the City-Wide Comprehensive Residential Zoning Study is completed; and, if that policy had any meaning at all, he felt that it should apply in the present case.

When the question was called, the Commission voted 3-2 to adopt Resolution No. 7288 and to disapprove the subject application. Commissioners Fleishhacker, Mellon, and Rueda voted "AYE"; Commissioners Newman and Porter voted "NO".

EE74.72 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT
REPORT FOR GOLDEN GATE HEIGHTS RESIDENTIAL
HOUSING DEVELOPMENT CONSISTING OF 83 THREE-
AND FOUR BEDROOM HOMES ON PROPERTY BOUNDED
GENERALLY BY NORIEGA STREET AND LOMITA AND 15TH
AVENUES.

President Newman announced that the Commission intended to continue this matter until its meeting on February 20 at 3:30 p.m. because of the lateness of the hour; however, he indicated that the Commission would be willing to hear from any member of the audience who would not be able to be present at the next meeting. When he asked if anyone wished to speak on this matter, no one responded.

It was then moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that this matter be continued until the meeting of February 20, 1975, at 3:30 p.m.

RI18.74.14 & RI18.74.15 - TENTATIVE SUBDIVISION MAPS,
GOLDEN GATE HEIGHTS, BLOCKS
1860B AND 1928B.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that consideration of these matters be postponed until the meeting of February 20, 1975.

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

1. The purpose of this document is to provide information regarding the activities of the [redacted] and the [redacted] in the [redacted] area.

2. The [redacted] has been observed in the [redacted] area, and it is believed that it is involved in the [redacted] activities.

3. The [redacted] has been observed in the [redacted] area, and it is believed that it is involved in the [redacted] activities.

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7. The [redacted] has been observed in the [redacted] area, and it is believed that it is involved in the [redacted] activities.

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, February 20, 1975.

The City Planning Commission met pursuant to notice on Thursday, February 20, 1975, at 1:45 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Vigil L. Elliott, James J. Finn, Mortimer Fleishacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Sidney Shaw, Planner IV; Alec Bash, City Planning Coordinator; William Duchek, Planner III; Wilbert Hardee, Planner III; Alan Lubliner, Planner II; Moira So, Planner III; Gary Craft, Planner II; Linda Ferbert, Planner II; Douglas Holmen, Planner II; Russell Watson, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishacker, seconded by Commissioner Elliott, and carried unanimously that the minutes of the meetings of January 9, 23, 24, and 30, 1975, be approved as submitted.

CURRENT MATTERS

Russell Watson, Planner II, displayed plans for four single-family dwelling units proposed on Vista Verde Drive in the Mira Glen Planned Unit Development. He stated that City Planning Commission Resolution No. 5758, dated March 26, 1964, had authorized a planned unit development of 119 dwelling units at R-1 density and had specified that final plans for the individual dwelling units should come before the Commission for review and approval. He stated that the proposed dwelling units would be constructed by Gaehwiler Construction Company; and the three-bedroom two-bath units would sell for approximately \$70,000. He indicated that the dwellings had been designed to include building setbacks, view protection for adjacent properties, professional landscaping of all open spaces and setback areas, and use of natural building materials and the maximum development needs of each lot's view potential. In conclusion, he stated that it was the recommendation of the staff that the plans be ap-

proved. After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the plans be approved.

Robert Passmore, Planner V (Zoning), gave the following report:

"Conditional Use Application No. CU69,56 proposed a PLANNED UNIT DEVELOPMENT which was in effect an institutional master plan to add a medical office building, an ancillary service wing and a nursing wing to the existing hospital complex in an R-4 district. That master plan was approved by the City Planning Commission on December 4, 1969, by Resolution No. 6456. The medical office building was considered by the Commission on September 17, 1970, and was approved by Resolution No. 6629 as being in conformity with the master plan. The office building has since has been completed.

"Resolutions 6456 and 6629 indicate that the nursing wing addition would be in a new building at the northeast corner of California and Cherry Streets but that this building would not be needed until about 1985 or 1990 and that, for this reason, it could not be accurately represented in a schematic drawing. Both resolutions required that final plans for this and other contemplated buildings must be reviewed by the City Planning Commission.

"Children's Hospital now finds that it needs approximately 1800 square feet of new space to accommodate twenty bassinets for newborn infants who need special care, and proposes to build east of the existing maternity care section of the hospital near Sacramento Street. The addition would be at the second floor level under a bridge which connects the third, fourth and fifth floors of the hospital to an outpatient and research building at the southwest corner of Sacramento and Maple Streets.

"Plans for this addition show eight bassinets for intensive care and twelve bassinets for intermediate care. An exit with a stairway to Sacramento Street is shown from the intermediate care area. Remodeling of approximately 1,000 square feet of the existing hospital for offices and other facilities related to the new unit is also indicated."

Mr. Passmore stated that the Director did not feel that the proposed intensive care unit would be a significant enlargement or intensification of the large medical complex at Children's Hospital; and, therefore, it was his recommendation that the staff be authorized to approve a building application when it is submitted without conditional use review.

Commissioner Porter recalled that the Commission, in granting conditional use authorization for the medical office building at Children's Hospital, had limited the number of tenants in that building to 84; however, on a recent vis-

it to the building, she had counted approximately 108 tenants. Mr. Passmore stated that a copy of the resolution granting authorization for the medical office building was not available in the meeting room; however, he indicated that he would look into the matter which had been raised by Commissioner Porter and report back at a later date.

The Secrétary called attention to a letter which had been received from Procter Jones, President of the Presidio Heights Association of Neighbors, advising that his organization had no objection to the proposed construction project.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Elliott, and carried unanimously that the staff be authorized to approve a building application for the proposed expansion at Children's Hospital when it is submitted without conditional use review.

Selina Bendix, Environmental Review Officer, reported that she had represented the City and County of San Francisco at a public hearing before representatives of the Bureau of Land Management of the Department of the Interior in Los Angeles on the Environmental Impact Statement for off-shore drilling.

At this point in the proceedings, Commissioners Finn and Rueda arrived in the meeting room and assumed their seats at the Commission table.

Dean L. Macris, Director of Planning, reported that Dr. Bendix will hold a public hearing on the Environmental Impact Report for the Southeast Sewage Treatment Plant on Saturday, March 8, at 1:30 p.m. in Room 282, City Hall.

Commissioner Ritchie expressed concern that the high bids which had been received for the Yerba Buena Center project might result in the project being stripped of amenities; and he felt that the Commission should review any changes which might be proposed in the plans. He recalled that the Redevelopment Agency had previously agreed to permit the Commission to review the design of buildings within the project; and he asked the staff to review this matter and to report back at an early date.

REPORT ON PARKING MANAGEMENT STUDY - YERBA BUENA CENTER PARKING MORATORIUM.

Alan Lubliner, Planner III, reported on this matter as follows:

"Pursuant to Federal requirements for environmental protection, and the policies of the Transportation Element of the San Francisco Master Plan, the Chief Administrative Officer prepared a Parking Management Statement for the Yerba Buena Center Area in August 1974, calling for reduction of parking requirements within the project area, limitation of parking facilities in the surrounding area, and increased inducements for use of public transit.

"The San Francisco Board of Supervisors, in Resolution No. 1008-74 dated December 23, 1974, endorsed the content and recommendations of that Parking Management Statement, and declared a policy to 1) strictly limit the development of parking facilities in the area surrounding Yerba Buena Center, and 2) encourage the use of transit to and from the project area. In that resolution the Board requested that the Department of City Planning create a special parking district surrounding the project area and develop a specific program and implementation methods, in cooperation with appropriate agencies, for encouraging transit use, with particular attention to high-density areas such as Yerba Buena Center. They also requested that the Department report back as often as necessary concerning these actions.

"PARKING CONTROLS

"The Department will soon be required to initiate a citywide parking study, in cooperation with the Department of Public Works. This study of parking management for the city as a whole is in part pursuant to U.S. Environmental Protection Agency (EPA) mandates to control air pollution from vehicular sources. The study will consider and attempt to minimize negative effects of parking upon area-wide Vehicle Miles Traveled (VMT), in order to reduce growth in VMT and ensure that congestion associated with parking facilities does not violate carbon monoxide standards. The Metropolitan Transportation Commission is preparing a parking management plan on a regional basis, but is contracting with San Francisco, Oakland and San Jose to produce their own plans for their specific areas.

"The objectives of the San Francisco study will be to comply with EPA regulations regarding control of VMT and carbon monoxide, and also to develop a citywide parking plan to implement and make more specific the objectives and policies of the Master Plan. The Transportation Element of the Master Plan, as adopted in 1972, designate a Downtown Core Automobile Control Area and contains other policies for parking, but notes the need for expansion of the parking policies as more information becomes available. It is anticipated that the citywide parking study may result in recommendations for amendments to the Master Plan and the City Planning Code.

"In response to the Board request that a special parking district be created, the Department recommends an interim measure to control parking in the area surrounding Yerba Buena Center until the citywide parking study is completed, in order that permanent controls, when enacted, can have a more comprehensive basis and relate to the needs of the entire city.

"The interim proposal is designated to address the problem of parking that might be developed in anticipation of demand from new activities in Yerba Buena Center. It also addresses the potential replacement of approximately 3,500 off-street parking spaces now found on the Yerba Buena

Center site, spaces which are used primarily for all-day commuter parking by people with destinations outside the project area; most of these spaces will be removed upon commencement of project construction in May. In addition, the interim proposal would seek to prevent displacement of businesses and residences in the surrounding area by new parking facilities. Finally, the proposal would be coordinated with the opening of a peripheral parking facility at Candlestick Park to accommodate approximately 1,000 autos with provision for direct transit service to downtown.

"The proposal is as follows:

- "1. A temporary parking control area should be established to cover all property outside the Yerba Buena Center Project Area that is within commuter walking distances from the project area boundaries, considered to be a radius of from 1500 to 2500 feet based upon differences in the susceptibility of the property for conversion to parking. The proposed control area is drawn with its boundaries at the centers of streets or alleys, so that entire blocks are covered in all cases.
- "2. Within the control area no new off-street parking should be permitted as either a principal or a conditional use, as defined in the City Planning Code. No application for a permit to grade or construct for the purpose of providing such automobile parking should be accepted during the interim period. Accessory parking to serve uses on the same site, as defined by the City Planning Code, would not be affected by this limitation.
- "3. The control should be in effect until January 1, 1976. An extension of that date should be made if it appears that permanent controls deriving from the citywide parking study will be enacted within a reasonable period of time thereafter.
- "4. The Department of City Planning should continuously review the impact of the interim parking control and recommend any modifications that may be deemed appropriate during the interim period to meet the objectives of the control without undue or inequitable restrictions upon the owners and users of the affected properties.

"INDUCEMENTS FOR TRANSIT USE

"With regard to the Board request that the Department develop a program to encourage transit use, much action is already taking place. The Transit Preferential Streets Program should improve overall travel time of transit vehicles operating on designated transit streets, and minimize conflicts between transit and other vehicles. This is under way on such downtown streets as Post/Sutter, Fourth and Mission Streets.

"The November 1974 report, A Transportation System for the Embarcadero Area, recommends such items as exclusive bus connections to a regional bus terminal, shuttle transit from peripheral areas to downtown, and an Embarcadero transit route.

"The Municipal Railway's Planning, Operations and Marketing (P.O.M.) Study, currently under way, is looking at such items as route and service levels, and any recommended adjustments thereto. As the P.O.M. Study progresses, the Department of City Planning will be working to ensure consideration of high-density areas such as Yerba Buena Center and the downtown core.

"In addition, the Department will be taking other actions in conjunction with the citywide parking study and the P. O. M. Study, in cooperation with appropriate agencies. Transit use will be encouraged by such measures as intensification of shuttle service in the downtown area as called for in the Master Plan, designation of additional transit preferential streets, and preparation of further peripheral parking proposals.

"The Department will keep the Board of Supervisors advised as to its progress in the citywide parking study and other actions, pursuant to the Board's resolution of December 1974."

President Newman, noting that 1,000 of the 3,500 off-street parking spaces to be removed from the Yerba Buena Center site will be replaced at Candlestick Park, asked how the remaining 2,500 parking spaces will be replaced. Mr. Lubliner replied that it was hoped that many of the individuals who have been parking their automobiles in the south of Market area would convert to public transit.

President Newman then asked if the number of parking spaces at Candlestick Park could be increased in the future. Mr. Lubliner replied in the affirmative, indicating that the number of parking spaces would be increased if the peripheral parking facility at Candlestick Park is successful.

The Director stated that he regarded the peripheral parking project as an extremely important test to determine whether it will be possible to intercept automobiles and to bring their passengers downtown by public transportation.

Commissioner Fleishhacker observed that individuals from Marin County who may be parking in the south of Market area at the present time would probably not use the facility at Candlestick Park; and he asked if any information is available regarding the origin of the automobiles presently parked on the Yerba Buena Center site. Mr. Lubliner replied in the negative but indicated that many people have chosen to park in the south of Market area because the fees charged are extremely modest for all-day parking.

Commissioner Fleishhacker then expressed concern over the possibility that people might lose their jobs if they cannot find places to park in the South of Market Area. While he was sympathetic with the staff's desire to encourage use of public transportation, he did not want San Francisco "to end up with clean air and no people".

The Director stated that there are other parking facilities in the immediate vicinity of the Yerba Buena Center site, notably the 5th and Mission Garage, which are not being used to capacity at the present time; and those facilities could absorb some of the parking being removed from the project site.

Commissioner Rueda asked if removal of the parking spaces and implementation of the staff proposal for a parking moratorium in the area would be contingent on the carrying out of the Yerba Buena Center project. Mr. Lubliner replied in the affirmative.

Commissioner Finn stated that the staff of the Public Utilities Commission had worked closely with the staff of the Department of City Planning on the parking management issue; and they had taken a position of opposition to any increase in off-street parking for the reasons indicated in Mr. Lubliner's report. Furthermore, he emphasized that the Metropolitan Transit Commission will force an off-street parking plan on the City unless San Francisco develops a satisfactory plan of its own.

The Director noted that the parking lots on the Yerba Buena Center site were originally authorized as temporary facilities. He also remarked that the existing parking spaces would be removed over a ten month period; and he indicated that the standards of the proposed parking moratorium could be modified during that period, if necessary.

President Newman stated that he suspected that removal of the parking spaces in the south of Market area might encourage more commuters to park their automobiles in residential areas and to take public transportation to their downtown destinations.

Mr. Lubliner stated that the staff of the Department of City Planning is investigating the legality of reserving parking places on streets in residential neighborhoods for the residents of those areas.

Commissioner Ritchie noted that several major projects scheduled to come before the Commission in the near future would be located within the temporary parking control area and would include plans for construction of new parking spaces; and he wondered if the proposed parking moratorium would prevent the Commission from approving such facilities in the future. The Director replied that accessory use parking would not be affected by the temporary moratorium on construction of off-street parking spaces.

Commissioner Porter emphasized that Mr. Lubliner's report had contained the following statement: "The Department of City Planning should continuously review the impact of the interim parking controls and recommend any modifications that may be deemed appropriate during the interim period to meet the objectives of the control without undue or inequitable restrictions upon the owners and users of the affected properties." She felt that that language would give the staff wide latitude in dealing with any problems which might arise as a result of the interim parking controls.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that the Director of Planning be authorized to submit the report which had been presented by Mr. Lubliner to the Board of Supervisors.

EE75.3 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

Dean L. Macris, Director of Planning, stated that revised copies of the Block Grant Application had been placed before the members of the Commission; and he asked James Jaquet, Director of the Office of Community Development, to explain the differences between the revised application and the draft which had originally been presented to the Commission.

Selina Bendix, Environmental Review Officer, summarized the Environmental Impact Report and Environmental Impact Statement which had been prepared for the Community Development Block Grant Application. She also noted that a committee of the Board of Supervisors is scheduled to hold a public hearing on the application next Wednesday evening; and, in case that Committee should make any recommendations for changes in the application, she felt that the Commission should defer final action on certification of the completion of the Environmental Impact Report until its meeting next Thursday.

The only member of the public who was present to comment on the Environmental Impact Report and Environmental Impact Statement was Bob Planthold, Vice President of the Haight-Ashbury Neighborhood Council.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that this matter be continued until the Commission's meeting on February 27, 1975.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

R75.10 - MASTER PLAN REFERRAL ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

Wilbert Hardee, Planner III, reported on this matter as follows:

"The Housing and Community Development Act of 1974, Public Law 93-383, established a major new funding system for programs assisted by the Department of Housing and Urban Development (HUD). Title I of this Act provides so-called block grants for community development activities, many of which were formerly funded under Title I of the Housing Act of 1949 (Urban Renewal programs) or under Title I of the Demonstration Cities and Metropolitan Development Act of 1966 (Model Cities program).

"Pursuant to Sections 3.527 and 3.529 of the City Charter, the subject referral has been submitted by the Mayor's Office of Community Development. The request is for review of the proposed application by the City and County of San Francisco to HUD for funds for the period June 1975 through December 1975. The City's formula entitlement for the first year of the community development block grant program is \$28.6 million. Of this amount, \$9.5 million has been previously committed to continue existing redevelopment, concentrated code enforcement and Model Cities projects from January through June of this year. Of the remaining \$19.1 million, two-thirds (\$12.5 million) is proposed for funding existing projects through December 1975. First priorities would be completion of existing programs such as:

- "1. Western Addition and Hunters Point;
- "2. Federally Assisted Code Enforcement (FACE) in Bernal Heights, Alamo Square and Duboce Triangle;
- "3. Model Cities programs in the Bayview-Hunters Point and Mission District areas.

"It is proposed that \$6.6 million would be used to begin new projects. The emphasis would be on conservation of the city's existing housing and on improvement of the residential quality of neighborhoods. This would be achieved by:

- "1. Initiation of new housing rehabilitation efforts in selected areas;
- "2. Development of a major program to plan and establish multi-purpose neighborhood centers;
- "3. Renovation of existing neighborhood recreation facilities;
- "4. Provision of better traffic control and related beautification activities in residential areas.

"THE APPLICATION

"The application is divided into two sections: part one contains the community development projects, while part two presents a housing assistance plan for low- and moderate- income households.

"The application as a whole and the various projects described in the application implement a number of policies of the Master Plan and conflict with none of the Master Plan policies. In preparation of the application by the Department of City Planning and the Office of Community Development, there has been a deliberate effort to develop programs that will further the established policies of the Master Plan, including programs previously recommended by the City Planning Commission. Many of the Master Plan policies have anticipated policies now found in the Housing and Community Development Act of 1974. The Master Plan policies that are most directly implemented have the following headings in the various elements of the Master Plan:

"Residence Element

"Objective 1. Maintain and improve the quality and diversity of San Francisco's residential communities.

"Policy 1. Adopt a neighborhood maintenance approach in the redevelopment program

"Policy 2. Make extensive use of code enforcement.

"Objective 3. Provide maximum housing choice both in the city and in the Bay Area, especially for minority and low-income households.

"Policy 1. Distribute low-income housing throughout the city.

"Objective 4. Apply a comprehensive planning approach to programming community improvements and services.

"Policy 3. Improve neighborhood services through good design and proper location of public facilities.

"Objective 5. Encourage citizen participation in planning and programming public improvements.

"Policy 1. Establish more effective means for citizen participation at the city-wide level.

"Policy 2. Provide opportunities for citizen involvement in planning and programming of local community improvements.

"Recreation and Open Space Element

"Objective 4. Provide opportunities for recreation and the enjoyment of open space in every San Francisco neighborhood.

"Policy 1. Make better use of existing facilities.

"Policy 3. Give high priority for recreation improvements to high-need neighborhoods.

"Transportation Element -- Thoroughfares Plan

"Objective 1. Establish a thoroughfares system in which the function and design of each street are consistent with the character and use of adjacent land.

"Policy 1. Divert through automobile and truck traffic from residential neighborhoods onto major and secondary thoroughfares and limit major thoroughfares to non-residential streets wherever possible.

"Urban Design Element -- City Pattern

"Policy 5. Emphasize the special nature of each district through distinctive landscaping and other features.

"Urban Design Element -- Conservation

"Policy 4. Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

"Urban Design Element -- Neighborhood Environment

"Policy 1. Protect residential areas from the noise, pollution and physical danger of excessive traffic.

"Policy 5. Provide adequate maintenance for public areas.

"Policy 7. Encourage and assist in voluntary programs for neighborhood improvement.

"Policy 8. Provide convenient access to a variety of recreation opportunities.

"Policy 12. Install, promote and maintain landscaping in public and private areas."

1. The first part of the report is a general
introduction to the subject of the study.
It is followed by a description of the
methodology used in the study.

2. The second part of the report is a
description of the results of the study.
It is followed by a discussion of the
implications of the results.

3. The third part of the report is a
conclusion to the study. It is followed
by a list of references.

4. The fourth part of the report is a
list of references. It is followed by a
list of appendices.

5. The fifth part of the report is a
list of appendices. It is followed by a
list of figures.

6. The sixth part of the report is a
list of figures. It is followed by a
list of tables.

7. The seventh part of the report is a
list of tables. It is followed by a
list of footnotes.

8. The eighth part of the report is a
list of footnotes. It is followed by a
list of indexes.

Dean L. Macris, Director of Planning, stated that it was his recommendation that the Commission continue this matter until the meeting of February 27, 1975, also. However, since he planned to appear before a committee of the Board of Supervisors next Wednesday night to testify regarding the Community Development Block Grant Application, he indicated that he would appreciate having a sense of the Commission's view on the general relationship between the projects proposed in the application and the Master Plan.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that the Commission, based on the information which had been presented to it, was of the opinion that the application would be in conformity with the Master Plan. The Commission also voted to continue this matter until its meeting on February 27, 1975.

At 3:15 p.m. President Newman announced a 15 minute recess. The Commission reconvened at 3:30 p.m. and proceeded with hearing of the remainder of the agenda.

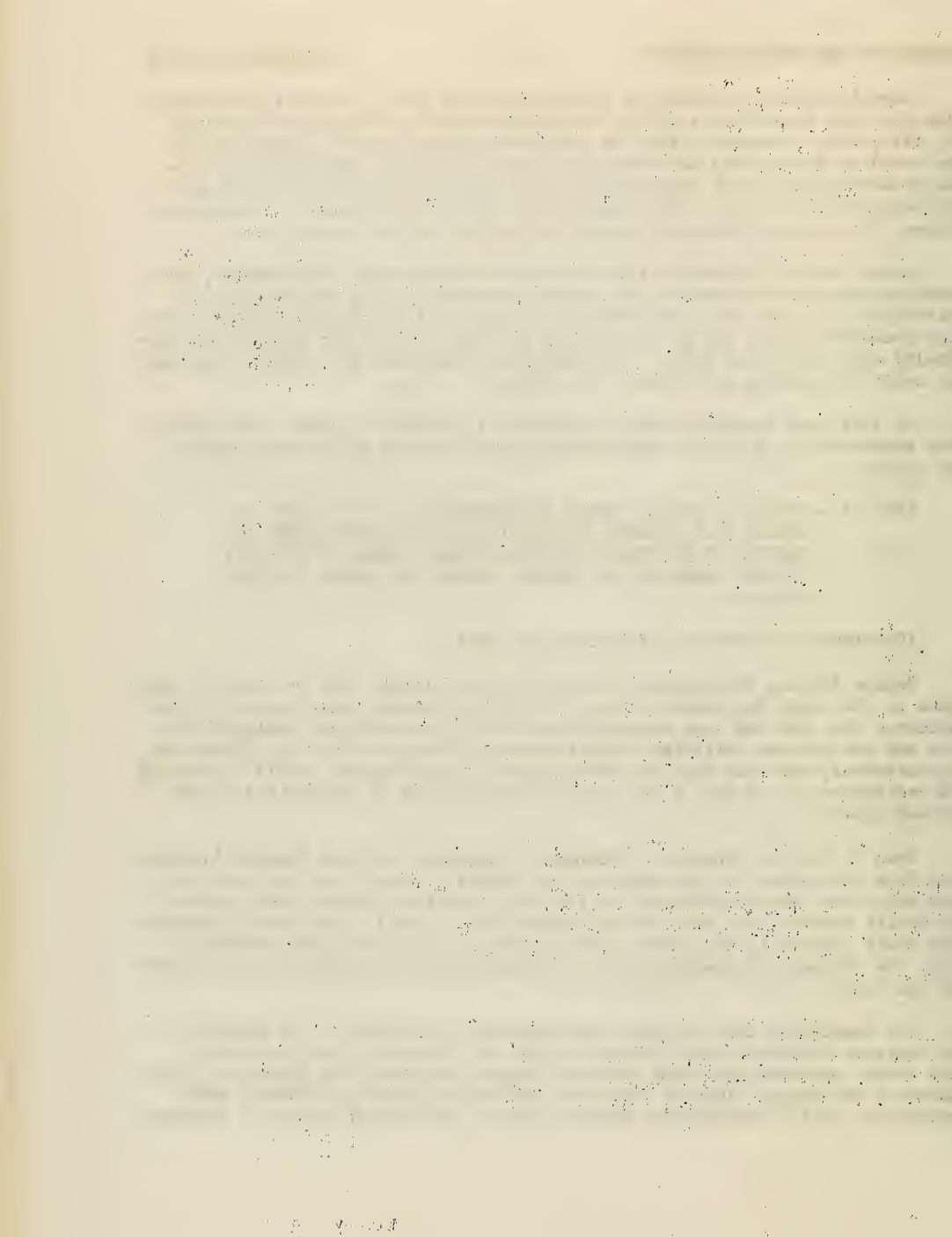
EE74.72 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR GOLDEN GATE HEIGHTS RESIDENTIAL HOUSING DEVELOPMENT CONSISTING OF 83 THREE- AND FOUR-BEDROOM HOMES ON PROPERTY BOUNDED GENERALLY BY NORIEGA STREET AND LOMITA AND 15TH AVENUES.

(Continued from meeting of February 6, 1975).

Selina Bendix, Environmental Review Officer, stated that two sets of amendments to the draft Environment Impact Report had already been issued; and she indicated that she had just received additional information on geologic factors and had not had sufficient time to evaluate the new material. Under the circumstances, she felt that the Environmental Impact Report should be revised and redistributed and that a new public hearing should be advertised on the revised report.

Dean L. Macris, Director of Planning, suggested that the Commission should hear from individuals in the audience who wished to testify on the draft report which had been distributed and that the Commission should then continue the public hearing to a date in the latter half of April. The same recommendation would pertain to the Master Plan referrals on the proposed subdivision maps. He advised the Commission that the developers were aware of the reasons for the delay.

The Commission then received and responded to testimony from members of the audience including Chief Gautier of the San Francisco Fire Department, Mary Burns, representing State Senator George R. Moscone; Tim Eichenberg, representing the Sunset Parkside Education and Action Committee (SPEAK); Mrs. Tennenbaum, 1843 - 14th Avenue; Rolland Loudon, 829 Noriega Street; a resident



of Noriega Street; Mrs. Halpern, a resident of 14th Avenue; Mrs. Elkus, 849 Noriega Street; James Lee, a resident of the neighborhood; Alice Kay, 809 Noriega Street; Leon Salanave, 2047 - 17th Avenue; Margaret Shamlian, 1815 - 15th Avenue; Mrs. Dieterich, a resident of the neighborhood; Diana Schindler, 142 Lomita Avenue; David Gabriel, a resident of the neighborhood; Zeta Parks, 839 Noriega Street; and Rosemary Bacy, 901 Noriega Street.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that this matter be continued to a meeting to be held no earlier than April 17, 1975.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At this point in the proceedings, Commissioner Elliott absented himself from the meeting room for the remainder of the meeting.

R118.74.14 and R118.74.15 - TENTATIVE SUBDIVISION MAPS, GOLDEN GATE HEIGHTS, BLOCKS 1860B AND 1928B.

(Postponed from Meeting of February 6, 1975).

Richard Gamble, Planner IV, reported on this matter as follows:

"The Director of Public Works has forwarded tentative subdivision maps of Blocks 1860b and 1928b in the Golden Gate Heights area for a report as to conformity to the Master Plan.

"In 1970 these blocks, together with several surrounding blocks, were subdivided and maps were filed on all except 1860b. The maps now submitted, therefore, constitute a new subdivision of Block 1860b and a resubdivision of Block 1928b. The differences in plotting between these and the previous maps are relatively minor. In Block 1860b the number of lots proposed is the same as before, and the change is in the orientation of corner lots. On Block 1928b the number of lots along 15th Avenue is reduced by one, and somewhat wider lots result.

"Block 1928b is on a steep slope facing the Ocean, with a dunes-like character except for the wooded area at its southerly end. The top layers of wind-deposited sand are insufficiently compacted to support construction without removing all vegetation (including roots) and recompacting the sand into a five-foot thick mat. For this reason, and in order to produce a more gradual slope, all but the southernmost tip of the block would be "skinned back". The engineers' initial grading plan indicates this cutting activity would extend well into the area with trees. If all the trees were to be retained, a substantial modification of the grading plan would be required.

"Block 1860b has been the site of quarrying and dumping activity. The subdividers propose to use some of the 'clean' (vegetation-free) sand from Block 1928b to backfill on Block 1860b.

"The Residence Element of the Master Plan designates this area for low-density residential use. The Recreation and Open Space Element of the Master Plan calls for expansion of Grand View Park to include privately-owned land in the remainder of Block 2034a, across 15th Avenue from Block 1928b, and acquisition of a large area of rock outcropping a block to the south along 14th Avenue. The southerly end of Block 1928b, with its stand of mature and highly-visible cypress and eucalyptus trees, although not designated in the Master Plan for acquisition, would make excellent park space of a character substantially different from that in the other two areas. While the three areas are not contiguous, they are interconnected visually and could be considered as a unit.

"Public acquisition of the wooded area by gift or purchase would seem very desirable, and means for such acquisition should be a major consideration in review of the proposed subdivision. Among the possible means are the following:

- "1. A gift to the City by the developer. Such a gift would be a voluntary act.
- "2. Required dedication to public use. Although the Subdivision Map Act makes provision for required dedications of recreation and open space areas, a requirement may be imposed only if authorized by the local subdivision ordinance. San Francisco has not adopted a subdivision ordinance, and therefore such a requirement may not be legally imposed as a condition of approval of subdivision.
- "3. Neighborhood acquisition. This might be done by an agreement among neighborhood residents or by a special assessment district.
- "4. Use of the Open Space Acquisition and Park Renovation Fund established by Proposition J. Money from that Fund has not yet been committed to specific projects, but in any event the Charter section adopted requires that acquisition be limited to properties described in the Recreation and Open Space Element of the Master Plan and in the 'Recreation and Open Space Programs' document. None of the property in either block proposed for subdivision would now qualify.
- "5. Required reservation of the wooded area as a common area for use by subdivision residents. This would not actually

be a form of public acquisition, since the wooded area would remain private and would not be available for public use, other than enjoyment of the visual and open space effects of the reservation.

- "6. Required reservation of the wooded area for a period of time to make possible its eventual acquisition by the City. By this method, the City could be given a specified period of time, such as three years, within which to purchase the wooded area. In order to make this reservation, the proposed map would be changed by omitting any platting of individual lots in the wooded area, and by removing the former lot lines in this area, so as to constitute the wooded area as a single parcel with a notation as to the reservation.

"Recommendations

"It is recommended that the Director be authorized to make the following recommendations as to conditions in his report to the Director of Public Works:

"Grading

"There shall be no grading in the area with trees on Block 1928b. Grading shall end at a distance of no less than 10 feet from the trunks of the nearest trees.

"Slopes shall be a maximum of 2:1, except that where this is not feasible they shall be no steeper than 1 3/4 to 1.

"Wherever retaining walls are used, they shall have a maximum height of 6 feet. If a greater height of soil must be retained, a series of terraces shall be employed. It is preferable that the walls be of an integral earth color with provision made for planting.

"Open Space Reserve

"Proposed Lots 10 through 18 and the southerly 10 feet of Lot 19 in Block 1928b (the wooded area) shall be shown as one parcel on the subdivision map and reserved for public acquisition until February 1, 1978.

"Setback Lines

"In all cases there shall be a minimum building set-back of 3 feet to allow for landscaping.

"Garage set-back lines shall be established of sufficient depth to prevent automobiles parked in driveways from overhanging the sidewalks. This shall mean a set-back distance of at least 18 feet to accommodate the full length of a car, or alternatively a depth of no more than 6 feet.

"Pavement within the set-back areas shall be kept to a minimum, with portions of driveways used as entrance walks where this will result in more effective front landscaping treatment.

"Location of driveways

"If on-street parking is to be permitted by City regulations, driveways shall taper to narrow curb cuts as indicated on the tentative map, leaving intermediate lengths of curb adequate for curb-side parking.

"Street trees and other landscaping

"All streets shall be planted with street trees according to specifications of the Department of Public Works.

"Other street areas unnecessary to vehicular or pedestrian movement shall also be planted.

"After the completion of grading, it is preferable that substantial plantings of groups of trees and other appropriate plant materials be used on the developed lots to enhance the appearance of the area.

"Undergrounding of utilities

"Utilities shall be undergrounded except where they are already installed along the rear lot lines."

Commissioner Ritchie inquired if the proposed Subdivision Maps would have to be approved by the State Real Estate Commissioner in Sacramento. If so, he felt that residents of the neighborhood who were opposed to the proposed subdivision should be aware that they would have a right of appeal to that office.

Mr. Gamble stated that the maps which were before the Commission for review were not technically "subdivision" maps since the developer was merely proposing to divide existing blocks into individual parcels and was not contemplating the dedication of any new street areas. Under the circumstances, the maps may not be subject to review of the State Real Estate Commissioner.

President Newman, noting that Chief Gautier of the Fire Department had informed the Commission that the existing streets do not meet current Fire Department standards, asked if the maps would become "Subdivision Maps" if

the developer were required to widen the streets to conform with the Fire Department's standards. Mr. Gamble replied in the affirmative but indicated that he did not know if the City could require the developer to widen the streets.

Commissioner Ritchie stated that he was under the impression that any subdivision involving the creation of more than five lots would automatically be subject to review by the State Real Estate Commissioner; and he asked Mr. Gamble to clarify this matter before final action is taken on the maps by the Commission.

Commissioner Fleishhacker noted that Mr. Gamble's report had contained a statement that "public acquisition" of the wooded area by gift or purchase would seem very desirable. However, since an open space preserve could be achieved through private as well as public acquisition, he felt that the language of the report should be changed to indicate that "open space acquisition" of the wooded area by gift or purchase would seem very desirable.

Commissioner Porter felt that it would be appalling for the Commission to approve a subdivision with streets which had been labeled as inadequate by the Fire Department. She noted that narrow streets in other areas of the City have caused many problems; and she felt that the Commission should insist that the streets serving the proposed Subdivision should be widened.

At this point in the proceedings, Commissioner Fleishhacker absented himself from the meeting room for the remainder of the meeting.

Dean L. Macris, Director of Planning, stated that the memorandum which had been presented by Mr. Gamble had been prepared for the Commission's meeting on February 3; and he indicated that the Department had not known of the Fire Department's concern about the width of the streets at that time. However, he assured the Commission that the concerns expressed by the Fire Department would be taken into consideration before the Commission's next meeting on this matter. He also advised the Commission that the developer had given verbal assurance that he would be willing to defer development of the wooded portion of the site for three years so that the City or private sources would have an opportunity to acquire that property for permanent open space.

Commissioner Ritchie asked if the proposed subdivision would fall under the jurisdiction of the California Coastal Zone Conservation Commission.

The Director replied that the boundaries of the Coastal Zone Conservation Commission's jurisdiction in San Francisco have not been clarified. However, he indicated that he was scheduled to meet with a representative of the Coastal Zone Commission on the following day in his office; and he stated that representatives of the neighborhood would be welcome to attend that meeting.

Rosemary Bacy, 901 Noriega Street, stated that she was surprised that the staff of the Department of City Planning had not commented upon the lot pattern proposed for Block 1360B. She felt that the lot pattern proposed by the developer had ignored the view potential of the block; and if the block were to be developed as a planned unit development, parking could be consolidated on the site and a more sensible use could be made of the property.

President Newman asked for a show of hands of individuals present in the audience in opposition to the proposed subdivision. Approximately 60 people responded.

Mrs. Elkus, 849 Noriega Street, submitted a petition which had been signed by residents of the neighborhood in opposition to the proposed development. She stated that the individuals who had signed the petition wished to have the entire hillside and the quarry site preserved as open space.

President Newman stated that acquisition of the property for open space was beyond the jurisdiction of the City Planning Commission. While it would be possible for the Commission to recommend that the property be acquired by the City, the actual acquisition would have to be approved by the Board of Supervisors.

Commissioner Ritchie remarked that the subject properties had been open and available; however, someone has owned them and has been paying taxes on them. While he was not personally in favor of the proposed development, he observed that the Commission cannot prevent a property owner from developing his property. Under the circumstances, he felt that residents of the neighborhood in opposition to the development should explore the question of what jurisdiction might be exercised over the proposed development by the State Real Estate Commission or the California Coastal Zone Commission.

President Newman asked for a show of hands of individuals present in the audience in support of the proposed subdivision. Approximately six people responded.

A resident of 8th Avenue noted that Commissioner Ritchie had remarked during the course of the public hearing on the Environmental Impact Report for the proposed subdivision that it was his opinion that the proposed houses would be quite unattractive; however, he felt that any block of "ticky tacky" houses in the Sunset District would qualify as the ugliest in the City. He stated that he had been asked by the developer of the proposed project to look at the property and to make some estimates pertaining to possible costs. He noted that one of the speakers who had addressed the Commission during the public hearing on the Environmental Impact Report for the project had commented on the lack of cisterns in the area; but he assured the Commission that mains in 14th, 15th and 16th Avenues have adequate water to fight any fires which might occur in the subject neighborhood. Furthermore, he stated that those mains have better pressure than the ones on 8th Avenue where he lives. He agreed

that the wooded area of the site is very pleasant; and he acknowledged that children do play on that portion of the property. However, he stated that he had never seen anyone playing on other portions of the site. The block that was formerly used as a quarry has been used as a "garbage dump" for years; and he did not regard the dumping of garbage to be a recreational use. He stated that he could take issue with most of the other points which had been raised by people who were opposed to the project; but he felt it sufficient to point out to the Commission that different people have different points of view.

Leon Salanave, 2047 - 17th Avenue, acknowledged that the subject property has suffered from the deprivation of careless people; but he suggested that the remedy to the situation should not be to pave the property but to clean it up and preserve it as a natural park.

A resident of 15th Avenue advised the Commission that her son has no park to play in other than the wooded portion of the subject property.

Another resident of the neighborhood asked for a clarification of the staff's recommendations concerning setback lines and sidewalk widths. Mr. Gamble replied that a distance of ten feet would exist between the property line and the curb. Most of the buildings in the development would be set back approximately ten feet from the property lines; however, the recommendation of the staff was that there be a minimum building setback of three feet in all cases to allow for landscaping, thus providing a minimum of thirteen feet between the building and the curb.

Commissioner Ritchie stated that he regarded a three-foot setback requirement as being too minimal; and he felt that a setback of at least ten feet should be required in all cases.

The lady who had raised the question concerning setbacks remarked that the topography of the property was such that a requirement for a ten-foot setback on certain lots would leave insufficient building area.

Mr. Gamble agreed and stated that it was for that reason that the staff had recommended that setbacks be provided wherever possible so that automobiles parked in driveways would not overlap the sidewalks and that minimal setbacks be required in other cases to discourage the parking of automobiles in a manner that would block sidewalks.

James Lee, 1831 - 15th Avenue, stated that he, also, was concerned about the setbacks; and he wondered who would be required to pay for any street widening which might take place.

Zeta Parks, 839 Noriega Street, remarked that she thought Mr. Passmore of the staff of the Department of City Planning had taken the position that the proposed housing would be in keeping with the character of the neighbor-

hood. In her opinion, however, the proposed houses would be compatible only with the houses which were constructed within the last year and which have no setbacks.

Mrs. Elkus emphasized that most of the older homes in the neighborhood are detached while those which were built recently, as well as the ones presently being proposed, would have no side yards.

A resident of the neighborhood stated that people who live in the area at the present time had chosen the neighborhood because of its distinctive character.

Mrs. Lee, 1831 - 15th Avenue, felt that the proposed development would change the character of the neighborhood to the extent that the neighborhood would no longer attract middle income families with children.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that this matter be continued until a meeting to be held no earlier than April 17, 1975.

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, February 27, 1975.

The City Planning Commission met pursuant to notice on Thursday, February 27, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Charles Gill, City Planning Coordinator; Wayne Rieke, Planner IV (Zoning); William Duchek, Planner III; Alan Billingsley, Planner II; Ralph Gigiello, Planner II; Douglas Holmen, Planner II; Raul Rosetter, Planner II; Mary Lifton, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

1:00 P.M. - FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled to be considered during the Zoning Hearing to be held on March 6, 1975.

2:15 P.M. - 100 LARKIN STREET

CURRENT MATTERS

Dean L. Macris, Director of Planning, noted that Commissioner Ritchie, at the last meeting of the Commission, had asked the staff to clarify the terms of an agreement reached with the Redevelopment Agency in the past under which the Commission would be permitted to review the design of buildings proposed for the Yerba Buena Center. In response to that inquiry, he quoted from the minutes of the Commission meeting of July 19, 1973, as follows: "Allan B. Jacobs, Director of Planning, advised the Commission that the Redevelopment Agency had agreed to permit the staff of the Department of City Planning to participate in the review of specific proposals for development of private parcels of property within the Yerba Buena Center. In such reviews, the concern of the staff of the Department of City Planning will be directed towards implementation of the Urban Design Plan. The staff will not be involved in the review of public developments in the project area because the Art Commission has jurisdiction over the design of public buildings."

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R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported that the Board of Supervisors will probably be considering an appeal of the Commission's recent disapproval of rezoning in the Inner Sunset in the near future.

In reply to a question raised by President Newman, the Director stated that he would be prepared to report on design controls which have been enacted by other cities during the Commission's meeting on March 13.

EE75.3 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT/STATEMENT
FOR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

(Continued from meeting of February 20, 1975)

R75.10 - MASTER PLAN REFERRAL ON COMMUNITY DEVELOPMENT BLOCK GRANT AP-
PLICATION.

(Continued from meeting of February 20, 1975)

Dean L. Macris, Director of Planning, reported that the Budget and Efficiency Committee of the Board of Supervisors had held a public hearing on the Community Development Block Grant Application the previous evening. At the conclusion of the hearing, the matter was continued until 1:30 p.m. next Monday, March 3, at which time the Committee will determine what its recommendation to the full Board will be. Since the Environmental Impact Report should give consideration to any changes which the Board might propose in the application, he felt that the Commission should defer action on both Environmental Impact Report and the Master Plan Referral until its meeting next Thursday when the recommendations of the Board's committee will be known.

No one was present to be heard on these matters.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that both of these items be continued until the Commission's regular meeting on Thursday, March 6, at 1:45 p.m. in Room 282, City Hall.

At 2:50 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, where they were joined by Commissioners Finn and Ritchie and reconvened at 3:00 p.m. for hearing of the remainder of the agenda.

EE74.170 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR A
BANKING BUILDING WITH A 23 STORY OFFICE TOWER TO BE LOCATED
AT THE NORTHEAST CORNER OF CALIFORNIA AND SANSOME STREETS.

Commissioner Ritchie stated that he intended to abstain from discussion and voting on this matter since he had handled the sale of the subject property to the Bank of Tokyo. He observed that Environmental Impact Reports for

three major office building projects were scheduled to be considered by the Commission during the afternoon; and, while San Francisco presently has one of the lowest office space vacancy factors of any city in the country, he felt that the city should be aware that creation of an excessive amount of office space in the future could lead to problems similar to those now being experienced in New York City. He stated that he did not feel that the three buildings presently before the Commission for consideration would substantially affect the vacancy rate for office space in the city; and he indicated that he did not know to what extent the Commission could exert itself in this area in the future since the Charter does not grant the Commission authority in economic matters.

Selina Bendix, Environmental Review Officer, stated that economic information may legally be required in Environmental Impact Reports; and she indicated that the Commission could request Environmental Impact Reports for new office buildings to demonstrate that the new office space being proposed is needed.

Ralph Gigiello, Planner II, summarized the Environmental Impact Report for the proposed banking building with a 23 story office tower to be located at the northeast corner of California and Sansome Streets. He also summarized letters which had been received from the Foundation for San Francisco's Architectural Heritage, the Landmarks Preservation Advisory Board, and James Finn, Director of Transportation for the Public Utilities Commission, and responded to the comments made in those letters.

The Commission then received comments from members of the audience including Dan Ritey, representative of State Senator George F. Moscone; James Heid, 2101 Broderick Street; James Dotta, Curator of the Treganza Anthropological Museum at San Francisco State University; Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board; and Randolph Delehanty, representative of the Foundation for San Francisco's Architectural Heritage.

Dr. Bendix recommended that the comments which had been made by the members of the public be summarized and included in the Environmental Impact Report; and she indicated that it was the Director's recommendation that the revised Environmental Impact Report be certified as complete by adoption of a resolution containing the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated February 27, 1975 concerning the Bank of Tokyo of California Building is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Mellon, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7289. Commissioner Rueda, noting that some of the speakers had requested that an archaeologist be permitted on the site during the excavation process, suggested that they should deal directly with the contractor in an attempt to reach an understanding regarding that matter.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

EE74.224 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR DEVELOPMENT INCLUDING TWO THIRTY-FOUR STORY OFFICE BUILDINGS CONNECTED BY A PARKING GARAGE AND LANDSCAPED PLAZA ON PROPERTIES LOCATED AT 345 MARKET STREET AND 45 FREMONT STREET.

At this point in the proceedings, Commissioner Ritchie returned to his seat at the Commission table.

Paul Rosetter, Planner II, summarized the Environmental Impact Report.

The Commission then received comments from members of the audience including Sue Hestor, representing San Francisco Tomorrow; Peter Christleman; and Paolo Guido.

Selina Bendix, Environmental Review Officer, responded to comments which had been made by the individuals who had addressed the Commission on this matter; and she indicated that their comments would be summarized and included in the Environmental Impact Report. She then stated that it was the recommendation of the Director of Planning that the Commission certify the completion of the revised document by adopting a draft resolution with the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated February 27, 1975 concerning Proposed High Rise Development at 345 Market Street and 45 Fremont Street, San Francisco, California, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

Individuals members of the Commission noted that the subject Environmental Impact Report was difficult to read because of a large number of addenda and errata sheets; and, in view of the testimony which had been received from

members of the audience, it appeared that the report was incomplete in certain areas. Furthermore, while the agenda for the meeting had indicated that two buildings were to be covered in the Environmental Impact Report, only one building had been discussed. It was then moved by Commissioner Ritchie and seconded by Commissioner Fleishhacker that the hearing on the draft Environmental Impact Report be continued so that the report could be revised and presented in a more comprehensible format.

President Newman asked if the developer of the proposed building or his architects would be inconvenienced if the hearing were to be continued.

Melvin G. Lewis, representing the Bechtel Corporation, replied in the negative, indicating that the continuation would give his firm more time to decide whether they really wish to construct the proposed building or not. He stated that the building could be constructed elsewhere if it is not wanted in San Francisco.

Commissioner Fleishhacker stated that the Environmental Impact Report did not have sufficient information or drawings to give him an impression of how the building would look; and, as a result, he felt that the Environmental Impact Report in its present form was inadequate.

When the question was called, the Commission voted unanimously to continue this matter for 60 days or less.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

DR75.2 - DISCRETIONARY REVIEW OF PLANS FOR OFFICE BUILDINGS TO BE LOCATED AT 45 FREMONT STREET UNDER THE COMMISSION'S POLICY OF CONDUCTING DISCRETIONARY REVIEWS OF NEW BUILDINGS PROPOSED IN THE VICINITY OF MARKET STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that this matter could not be heard because no building permit application had yet been filed for the proposed building and because the Commission had not yet certified the completion of the Environmental Impact Report for the project.

EE74.253 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR A 38 STORY OFFICE BUILDING TO BE LOCATED AT 444 MARKET STREET, NORTHWEST CORNER OF FRONT STREET, AND TO BE CONNECTED WITH AN EXISTING PARKING GARAGE WITH ACCESS TO BATTERY STREET.

Douglas Holmen, Planner II, summarized the draft Environmental Impact Report and responded to questions raised by members of the Commission. He also summarized comments which had been received from James J. Finn, Director of Transportation for the Public Utilities Commission, and indicated that those comments and the staff's responses to those comments would be included in the report.

The Commission then received comments from members of the audience including Sue Hestor, speaking in behalf of students at Golden Gate College; Wally Ehlers, representing Milton Meyer & Company, agents for an adjacent building located at 111 Pine Street; Chuck Bassett, a partner of Skidmore, Owings & Merrill, architects for the proposed development; and Henry Barak, Vice President of Continental Development Corporation, the proposed developer.

During the course of the discussion, individual members of the Commission expressed concern about the fact that the proposed building would be constructed only one foot away from a number of windows on the south wall of an adjacent office building at 111 Pine Street; and, at the conclusion of the discussion, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the public hearing on the draft Environmental Impact Report be continued for one week to permit the staff of the Department of City Planning to obtain additional information regarding the nature of the windows which would be blocked and to afford an opportunity for the owners of the building at 111 Pine Street to negotiate with the developer of the proposed project to see if any agreement could be reached regarding changes in the proposed plans.

Arthur Goldman, representing Sedway-Cooke, consultants to the developer, stated that his staff had verified that the Building Code contained the same stipulations and conditions regarding the placement of windows along a property line at the time the building at 111 Pine was constructed as the code contains at the present time; and, under the circumstances, he felt that the developer of the building must have known that the windows on the south side of that building could be blocked at some point in the future.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU75.6 - REQUEST FOR AUTHORIZATION TO CONSTRUCT A 38 STORY OFFICE BUILDING AT 444 MARKET STREET WITH A MAXIMUM LENGTH OF 172 FEET 8 INCHES WHERE THIS DIMENSION WOULD OTHERWISE BE LIMITED TO 170 FEET FOR THAT PART OF THE BUILDING HIGHER THAN 150 FEET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that this matter could not be heard since the Commission had not yet certified the completion of the Environmental Impact Report for the proposed project. He recommended that hearing of the Conditional Use Application be postponed until the Commission's meeting on March 6, 1975.

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that this matter be postponed until the Commission's meeting on March 6, 1975.

The following is a list of the names of the persons who have been elected to the office of President of the Association for the Study of the History of the United States, for the year 1970-1971. The names are listed in alphabetical order of their last names.

During the year 1970-1971, the Association for the Study of the History of the United States has been very active in its efforts to promote the study of the history of the United States. It has held several meetings and has published several papers. It has also been very active in its efforts to promote the study of the history of the United States.

It is the hope of the Association for the Study of the History of the United States that the following list of names will be of interest to the members of the Association. It is also the hope of the Association that the following list of names will be of interest to the members of the Association.

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DR75.3 - DISCRETIONARY REVIEW OF PLANS FOR OFFICE BUILDINGS TO BE LOCATED AT 444 MARKET STREET UNDER THE COMMISSION'S POLICY OF CONDUCTING DISCRETIONARY REVIEWS OF NEW BUILDINGS PROPOSED IN THE VICINITY OF MARKET STREET.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), advised the Commission that this matter could not be heard since no building permit/application had yet been filed and since the Commission had not certified the completion of the Environmental Impact Report for the proposed project. He stated that the item would have to be removed from the Commission's agenda until such time as a building permit application has been filed.

At this point in the proceedings, President Newman absented himself from the meeting room for the remainder of the meeting.

CU65.28 - CONSIDERATION OF POSSIBLE REVOCATION OF CONDITIONAL USE AUTHORIZATION GRANTED BY RESOLUTION NO. 5916 FOR AN ACCESS DRIVEWAY TO A PROPERTY LOCATED AT 101 STATES STREET, IN AN R-4 DISTRICT.

The Secretary read a letter which had been received from Dole H. Champion, President of the Buena Vista Neighborhood Association, as follows:

"The matter cited above has been scheduled for consideration at the commission meeting of February 27. We respectfully request that the review of the Conditional Use Permit be deferred for one month.

"Although we believe there are substantial grounds for revoking the permit and are prepared to present our arguments on that issue, recent events may make it unnecessary to deal with the question.

"Through the auspices of the City Planning Department staff--Robert Passmore and Russell Watson--members of our association have met with an architect, Roy Ettinger, representing Thomas J. Glynn, who has proposed to build at 101 States Street and on adjoining property.

"We are pleased with the general concept submitted to us for R-2 development of the two properties, with seven units of single-family, townhouse construction. We welcome the opportunity of having the plan presented in more refined form for further discussion.

"Among other things, we are concerned about the allocation of parking and the manner in which it is accommodated. Further, we deem it of absolute importance that Mr. Ettinger be retained for full architectural direction, including supervision of construction.

"We congratulate the planning staff for their role in seeking a solution that is satisfactory to all parties in the development of housing that will be an asset to our neighborhood and the city as a whole."

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the Conditional Use Authorization had been granted in 1965; and he remarked that conditions had changed substantially in the intervening 10 year period. Under the circumstances there seemed to be no valid reason why the Conditional Use Authorization should not be revoked unless such action would somehow affect the negotiations between residents of the neighborhood and the developer. He stated that it was the recommendation of the Director of Planning that the request for postponement be denied.

Michael O'Hanlon, 219 States Street, stated that he saw no reason why the Commission should not proceed with consideration of the proposed revocation of the 10 year old Conditional Use Authorization which was granted to a previous owner of the subject property for a building which is no longer contemplated. He remarked that a new Conditional Use Authorization could be granted by the Commission if it is needed for the project presently being considered.

Commissioner Fleishhacker asked if the owner of the property was present. A woman in the audience replied in the negative but indicated that he had been aware that the matter was scheduled to be considered by the Commission.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Finn, and carried unanimously that the request for postponement of the hearing on this matter be denied.

Mr. Steele referred to land use and zoning maps to describe the subject property which has a width of 50 feet and an average depth of 49.8 feet for a total area of 2490 square feet. The property is presently vacant. In 1965, the City Planning Commission, by Resolution No. 5916, had granted Conditional Use Authorization to use the subject R-2 property for access to a proposed six story, 36 unit building on an adjacent lot which was zoned R-4. Conditions established at that time required that the proposed building be constructed in general conformity with plans on file with the Conditional Use Application, that additional off-street parking be provided by extending

the upper parking level to the south property line, and that landscaping be provided. Since 1965, two Planning Code amendments had been adopted which were particularly relevant to the Commission's present deliberations on possible revocation of the Conditional Use Authorization. Those amendments were the Height and Bulk Districts which were adopted in 1972 and the interim rear yard requirements which became effective on December 18, 1973. The six story building as proposed in 1975 with no rear yard at the parking garage levels would not comply with either of the new code amendments. Mr. Steele then proceeded to review events which had transpired since 1965, as follows:

"On May 2, 1969 a letter was sent to Mr. Dan Cooper, the original applicant for Conditional Use on this property and then owner of the property, stating that plans for a four-story, twenty-four unit building had been reviewed by the Zoning Committee of the City Planning Commission and that the Committee felt the changes were within the intent of the original Resolution No. 5916. In July of 1972 Lots 25A and 64 were sold to Mr. Thomas Glynn of Glynn Construction Company and on December 5, 1972, he filed building application No. 416462 to construct a 20-unit three-story apartment house on the property. A permit was finally ready to be issued pursuant to that application on May 24, 1974 after almost 18 months of processing. However, the permit was not taken out until November 26, 1974 after an extension had been granted to allow it to remain uncanceled until November 30, 1974. That permit was immediately appealed to the Board of Permit Appeals by Mr. Benny Lewis, a neighbor at 61 States Street. The Board voted on December 16, 1974 to deny Mr. Lewis' appeal and to grant the permit. On that same date, Dale H. Champion, President of the Buena Vista Neighborhood Association wrote to Edward I. Murphy, then Acting Director of the Department of City Planning, requesting that Mr. Glynn's permit be revoked on the basis that Cu65.28 had expired and was no longer valid because nine years which had elapsed since approval of the conditional use is longer than the reasonable time for such authorization to remain in effect without the authorized development being undertaken. On December 25, 1974, Mr. Champion wrote a letter to the Board of Permit Appeals with a copy to the Department of City Planning in which he stated that he believed that the permit had been improperly issued because it did not comply with the conditions of Resolution No. 5916 and because it did not provide the rear yard required under interim zoning controls. On December 27, 1974, the Zoning Administrator wrote to the Superintendent of the Bureau of Building

Inspection asking that the building permit be revoked because it did not comply with interim rear yard requirements. The basis for the finding that interim rear yard requirements apply was that, although the application was filed long before the December 18, 1973 cut off date, the documents necessary to make it a complete application as specified in Section 167 of the Planning Code were not supplied until five months after the cut off date. A copy of that letter was sent to the Board of Permit Appeals. On January 3, 1975, Mr. Goldberg, Superintendent of the Bureau of Building Inspection, suspended the permit application and sent a letter to the City Attorney asking whether revocation is legally required.

"The fate of the proposed 20-unit dwelling (Application No. 416462) is still pending before the City Attorney. Should he advise that the issuance of a building permit based on that application is valid, the action to revoke the present conditional use authorization would not stop construction under that permit. However, revocation would affect any subsequent application, including an application (No. 441379) filed by Mr. Glynn on November 19, 1974 to alter the earlier proposed 20-unit dwelling to 12 units. Because this new application would result in a building not conforming to applicable standards of the interim residential zoning controls, the application has not been acted upon by the Department. During the past month the developer has been reviewing with the Department another alternative that would not be dependent upon the conditional use authorization, but might involve a variance from the interim residential zoning controls. This latter proposal would be seven townhouses resulting in a density on the total R-2/R-4 zoned site that would not exceed the density permitted if the entire site were zoned R-2. The surrounding neighborhood has been made aware of this proposal."

At the conclusion of his presentation, Mr. Steel stated that it was the recommendation of the Director of Planning that the Conditional Use Authorization granted in 1965 be revoked.

After further discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Finn, and carried unanimously that Resolution No. 7290 be adopted with the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission finds that changes have taken place in the City and in this neighborhood so that the use previously authorized by Resolution No. 5916 is no longer in conformity with the conditions set forth in Section 303 of the City Planning Code and said authorization is hereby REVOKED."

The meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

APR 8 1975

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Minutes of the Regular Meeting held Thursday, March 6, 1975.

The City Planning Commission met pursuant to notice on Thursday, March 6, 1975, in Room 282, City Hall, at 1:30 p.m.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Richard Gamble, Planner IV; William Duchek, City Planning Coordinator; Alan Billingsley, Planner II; Linda Ferbert, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Calvin Leary represented the San Francisco Chronicle; George Rhodes represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, made the following report:

"On December 6, 1973, the City Planning Commission adopted Resolution No. 7109 authorizing the use of property at 27, 41 and 45 Randolph Street and 178 Bright Street as a boarding care home for 24 mentally retarded persons. Condition No. 7 of that resolution states, 'The authorization of this conditional use is for one year, at that time the use shall be reviewed by the City Planning Commission to determine if any negative effect exists which might require that the use be discontinued.'

"The staff has investigated this use by visiting the site, by talking with representatives of the OMI Community Association and by sending letters to the 5 people who appeared at the 1973 hearing in opposition to the granting of the conditional use. The staff has found that the property is at least as well maintained as other properties in the neighborhood. Representatives of the OMI Community Association have stated that they are not opposed to the continued use of this property as a care home. Although letters were sent a month ago asking for a response by February 20, 1975, no response has yet been received.

"Therefore, I recommend that the Commission adopt the Resolution which has been prepared declaring that upon investigation no negative effect has been found which would require the discontinuance of the Conditional Use authorized under Resolution No. 7109 and that the continued use of the property for a boarding care home is in conformity with that Resolution."

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7291 to authorize continuance of the Conditional Use for the properties mentioned in the Director's report.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Robert Passmore, Planner V (Zoning), distributed copies of a summary report on completion of the first phase of the Residential Zoning Study, including proposed objectives and policies for the study; and he indicated that discussion of the report would be scheduled during the Commission's next meeting.

Commissioner Fleishhacker suggested that copies of the staff report should be transmitted to individual members of the Board of Supervisors.

The Director informed the Commission that the Sunset-Parkside Education and Action Committee (SPEAK) had filed an application to reclassify all R-3 and R-4 zoned properties in the area bounded generally by Sunset Boulevard, Golden Gate Park, the Great Highway, and Noriega Street to R-2. He indicated that the application covered all or portions of 38 blocks. He stated that no hearing date had been established for the application.

The Director advised the members of the City-Wide Comprehensive Plans Committee (Commissioners Newman, Mellon, Ritchie) that the meeting scheduled for next Thursday will be cancelled.

Commissioner Fleishhacker, noting that the Commission had received testimony at its hearing last week suggesting that an archeologist should be present when filled land in downtown San Francisco is excavated to make room for a new office building. If any relics were to be found on that site, he doubted that they would be more than 100 years old; and it seemed to him that archeologists are generally concerned with prehistoric relics rather than with relics of the recent past. In that regard, he asked if the State law pertaining to environmental review contains any definition of "archeological sites".

Commissioner Ritchie stated that he shared the concerns which had been expressed by Commissioner Fleishhacker and felt that there were little reason why archeologist should be present when sites in downtown San Francisco are excavated.

The Director indicated that he would research this matter and report back to the Commission at an early date.

President Newman noted that the San Francisco Planning and Urban Renewal Association (SPUR) will be holding a planning conference on the economic and environmental impact of high rise office buildings in San Francisco on Wednesday, March 19.

R74.35 - SIDEWALK WIDTH CHANGES: MONTGOMERY STREET NORTH OF LOMBARD STREET AND LOMBARD STREET EAST OF MONTGOMERY STREET.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Director of Public Works has forwarded for review for Master Plan conformity the proposal to change the official sidewalk widths in the blocks north and east of the intersection of Montgomery and Lombard Streets. This is the site of Alpha Land Company's Telegraph Landing apartment complex (originally called 'The Waterfront') which was the subject of Conditional Use 73.12 authorized by the Commission on April 5, 1973.

"The proposed undulating layout on Lombard Street is due largely to the existence of a raised wooden deck and veranda, originally a loading platform, on the old loft building at the corner of Lombard and Montgomery. Since the building's conversion to office use, cars have been parked at 90 degrees in the former loading zone. The new design will shift the parking to 45 degrees and insert a minimal (4.5-foot wide) sidewalk along the old dock. An 8-foot sidewalk will be constructed on the south side, opposite. Farther east, in front of the new apartment project, the road alignment shifts northward and 12.5-foot sidewalks and parallel parking are provided on both sides. Sidewalk bulbs similar to Protected Residential Areas treatment are provided at the Sansome Street extremity.

"On Montgomery Street there is a 15-foot loading dock, and a 6-foot sidewalk will be constructed alongside; hence, an official width of 21 feet is proposed. North of the building the sidewalk tapers back to the existing official width of 15 feet.

"These improvements will enhance the change of the area from its former industrial use to the combination of general commercial and residential designated in the Northern Waterfront Plan, which is a part of the City's Master Plan. The design of the improvements, with corner bulbs and planting areas, conforms to the Protected Residential Areas concept of the Urban Design Element of the Master Plan."

At the conclusion of his report, Mr. Gamble stated that it was the Director's recommendation that the establishment of the proposed sidewalk widths be approved as in conformity with the Master Plan.

President Newman asked if the sidewalk changes were contemplated in the plans which had been before the Commission when the Conditional Use Application was being reviewed. Mr. Gamble replied in the affirmative but indicated that slight changes had since been made in the plans.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the establishment of official sidewalk widths on Montgomery Street north of Lombard Street and on Lombard Street between Montgomery and Sansome Streets, as shown of Bureau of Engineering map Q-20-296, is in conformity with the Master Plan.

EE75.3 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL/STATEMENT FOR
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.
(Continued from meetings of February 20 & 27, 1975)

Dean L. Macris, Director of Planning, noted that this matter had been continued from the meeting of February 27 so that any changes which might be proposed in the application by the Governmental Efficiency Committee of the Board of Supervisors could be included in the Environmental Impact Report/Statement. He then called on James Jaquet, Director of the Mayor's Office of Community Development, to summarize the changes which had been recommended by the Board's committee.

After completing his summary of the changes, Mr. Jaquet responded to questions which were raised by members of the Commission.

Selina Bendix, Environmental Review Officer, summarized the text amendments which had been made in the Environmental Impact Report/Statement as a result of the application changes recommended by the Board's committee, including a revision of Table 3 which appeared in Chapter II of the Environmental Impact document.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7294 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated March 6, 1975 concerning COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7293 be adopted with the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby recommend that the Draft Environmental Impact Statement, dated February 20, 1975 concerning EE75.3 COMMUNITY DEVELOPMENT AND HOUSING PROPOSAL FOR HUD BLOCK GRANT be found by the Mayor, as the chief executive officer of the City and County of San Francisco authorized to assume the status of a responsible Federal official, under the National Environmental Policy Act (NEPA), insofar as the provisions of NEPA apply to the HUD responsibilities for environmental review, to be adequately accurate and objective, and that the Mayor CERTIFY THE COMPLETION of said Statement in compliance with the National Environmental Policy Act and the applicable HUD Guidelines."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

R75.10 - MASTER PLAN REFERRAL ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.

(Continued from meetings of February 20 & 27, 1975)

Dean L. Macris, Director of Planning, noted that the changes recommended in the application by the Board of Supervisors' Budget and Governmental Efficiency Committee had been summarized during the discussion of the Environmental Impact Report/Statement. In his opinion, the revised application would be in conformity with the Master Plan; and, therefore, he recommended that the Commission approve the application as being in conformity with the Master Plan.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the overall community development program described in the revised application conforms to the Master Plan and that, more specifically, the individual community development and housing projects described in the revised application and the guidelines for selection of housing projects contained in the Housing Assistance Plan are in conformity with the Master Plan. The Commission noted, however, that certain of the individual projects funded with the Community Development Block Grant Funds and certain of the housing projects covered in the Housing Assistance Plan portion of the application are subject to individual Master Plan review as specific projects are more fully developed.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), announced that the Department had advertised a discretionary review of an application which proposed that the existing residential building at 552 Capp Street be remodeled and added to the Community Music Center at 544 Capp Street. The hearing was to have been held during today's meeting but had been withdrawn from the calendar because the applicant had not completed his application. If the matter were to be scheduled at a later date, a new advertisement would be placed in the official advertising newspaper.

CU75.4 - 281 MASONIC AVENUE, NORTHWEST CORNER OF TURK STREET.
REQUEST FOR AUTHORIZATION FOR AN INSTITUTION OF
HIGHER LEARNING (LINCOLN UNIVERSITY); IN AN R-2
DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has an area of approximately 28,700 square feet. He stated that the building occupying the site had formerly been used as a resident for the faculty members of Presentation High School until the new Mother House was built in accordance with the Conditional Use authorization granted by the City Planning Commission on December 1, 1966. At that time, it was contemplated that the building at 281 Masonic would be razed and replaced with a new nursing home for retired nuns when the new Mother House was completed. However, when the building at 281 Masonic was vacated, it was subsequently reoccupied by Lincoln University without Conditional Use authorization. The subject application had been filed to legalize the existing use of the building as an institution of higher learning. Mr. Steele stated that the only significant change made in the exterior of the project was the construction of an accessory parking lot at the north end of the building.

Oliver A. Baer, Structural Engineer, represented the owners of the subject property. He felt that Mr. Steele had provided the Commission with an adequate background on the matter.

Lloyd Luckmann, Chairman of the Board of Directors of Lincoln University, urged the Commission to take favorable action on the application.

Mr. Steele remarked that the subject building is a special purpose building which would appear to be most appropriately used for institutional use; and he noted that Masonic Avenue in the subject neighborhood is characterized by a number of institutional uses. He remarked that the subject site enjoys excellent public transit service; and he indicated that the Lincoln University had occupied the property for the past four years without serious detrimental effects on the neighborhood. Therefore, it was the recommendation of the Director that the application be approved subject to two specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing the draft resolution, Mr. Steele summarized the two conditions which it contained.

President Newman asked if the conditions which had been recommended by the Director would be acceptable to the applicant. Mr. Baer replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7294 and that the application be approved subject to the conditions which had been recommended by the Director.

CU75.10 - 100 MASONIC AVENUE, SOUTHEAST CORNER OF O'FARRELL STREET.
REQUEST FOR AUTHORIZATION FOR A RESIDENTIAL CARE HOME FOR 20 GIRLS (MOUNT JOSEPH'S HOME FOR GIRLS);
IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 275 feet of frontage on Masonic Avenue and 232 feet of frontage on O'Farrell Street for a total area of 63,800 square feet. He stated that the property is presently used by St. Elizabeth Infant's Hospital; and he indicated that the proposal was to expand the existing building by constructing a one- and two-story addition covering an additional 8,000 square feet of lot area and containing approximately 12,500 square feet of floor area at the rear of the property. The proposed expansion would be required to relocate the Mount St. Joseph's Home for Girls facility for 20 onto the site while maintaining the existing uses on the site. The proposed addition would require the removal of approximately six cypress and deciduous trees having diameters greater than one foot and approximately 13 such trees having diameters less than one foot. While plans were not in sufficiently final form to make a final determination as to the number of parking spaces which would be provided, the applicant had indicated a desire to provide 14 off-street parking spaces within the existing front lawn area with access onto Masonic Avenue and an alternation to the existing 7 space parking lot located on the corner of Masonic Avenue and O'Farrell Street to eliminate the access to Masonic Avenue and to provide access to O'Farrell Street. He stated that a negative declaration had been issued for the project on February 7, 1975; and had not been appealed.

Commissioner Porter asked if approval of the subject Conditional Use would result in a waiver of the Commission's right to exercise control over parking proposed for the site as more complete plans are developed. She remarked that members of the Commission had taken a field trip to the site and had been impressed with the lawns and landscaping on the site; and they were disturbed by the fact that the greenery might be disrupted for a parking lot.

Mr. Steele stated that the Commission could exercise its right to conduct a discretionary review of the permit application for the proposed project even if it were to approve the Conditional Use application at its present meeting. He stated that the City Planning Code would probably require no more than four

off-street parking spaces for the additional facility being proposed; but the applicant seemed to feel that a more sizable parking lot would be desirable, in which case some of the off-street parking spaces would probably have to be located in the front set-back area.

Commissioner Porter then asked if a variance would be required if the applicant were to construct more off-street parking spaces than the City Planning Code requires. Mr. Steele replied in the negative, indicating that a variance would be required only if the applicant wished to provide less off-street parking spaces than the Code requires.

Commissioner Fleishhacker suggested that any resolution approving the Conditional Use Application might contain a condition specifying that final site plans for the project should be subject to review and approval by the staff or the Commission.

Commissioner Finn stated that he shared the concern which had been expressed by Commissioner Porter; and he indicated that he had been consistently opposed to requests to provide off-street parking spaces in excess of Code requirements.

Commissioner Rueda asked if the staff had made any count of on-street parking spaces available in the subject neighborhood. Mr. Steele replied that no specific count had been made of the number of off-street parking spaces available in the immediate area; however, during the course of numerous visits to the site, the staff had observed a sizable number of on-street parking spaces available, probably because of the two hour parking limit which pertains in the area. If the two hour parking limit should prove to be a problem for teachers who would be working in the proposed facility, he felt that it might be possible to have the limit changed from two hours to four hours, a limitation which would still discourage commuters from parking in the neighborhood and taking public transportation to their downtown destinations.

Heywood P. Mansergh, representing the office of Rene' Louis Cardinaux, architect for the applicant, stated that he had discussed the problem of parking with the staff of the Department of City Planning. The reasons that that extra off-street parking spaces were being proposed was that teachers who would be working on the proposed facility would find it difficult to leave their classrooms to feed parking meters. He felt that it might be possible to reduce some of the off-street parking spaces which were being proposed for the site, especially if alternate plans could be prepared with the cooperation of the Traffic Engineering Bureau of the Department of Public Works. In fact, he felt that it might be possible to reduce the number of additional off-street parking spaces on the site to four or six spaces.

Mr. Steele felt that relocation of an existing residential facility to the subject site could be achieved without significantly altering the appearance of the existing building or significantly altering the effect of the hospital

building complex on the neighborhood. He noted that the relocation would permit sale of the existing Silver Terrace site, making it available for development of needed housing or other appropriate uses. Since the subject property is located on a major thoroughfare amid commercial and institutional as well as residential uses, he believed that the slight additional activity would be compatible with the surrounding area. Finally, he remarked that the appearance of the parking lot on Masonic Avenue which was proposed to serve the facility, could be made compatible with the appearance of the surrounding area through imposition of appropriate conditions, should such a parking lot in fact be required. Therefore, it was the recommendation of the Director that the application be approved subject to six specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing copies of the draft resolution to members of the Commission, Mr. Steele summarized the conditions which it contained.

President Newman asked if the conditions which were contained in the draft resolution would be acceptable to the applicant. Mr. Mansergh replied in the affirmative.

Commissioner Porter emphasized that members of the Commission felt very deeply about the applicant's proposal to install off-street parking spaces in the front yard of the subject property; and she urged that the number of off-street parking spaces be reduced if it should be determined that they would not be needed.

Commissioner Fleishhacker suggested that Condition No. 6 of the draft resolution should be amended to specify that final plans for the project, including plans for the new parking lot, should be subject to review and approval by the Commission prior to the time that the applicant files for a building permit. He then moved that the amended draft resolution be adopted. The motion was seconded by Commissioner Rueda. When the question was called, the Commission voted unanimously to adopt the amended draft resolution as City Planning Commission Resolution No. 7295 and to approve the application subject to the conditions contained in the draft resolution, as amended.

CU75.5 - 800 VALENCIA STREET, SOUTHWEST CORNER OF 19th STREET.
REQUEST FOR AUTHORIZATION FOR A CAR WASH; IN A C-M DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator) stated that the subject property, which is presently vacant, has a 125 foot frontage on Valencia Street and a 100 foot frontage on 19th Street for a total area of 12,500 square feet. The applicant had requested authorization to construct two gasoline pumping islands and an automobile wash facility on the site. In most cases, vehicles would enter the site from Valencia or 19th Street, purchase a full tank of gasoline, proceed through the free automobile wash facility, and exit onto 19th Street. Three on-site employee parking spaces would be provided; and space would be available on the site for approximately 24 automobiles waiting in line for the automobile wash and for

the gas pumping islands. The proposed facility would be open between the hours of 7:00 a.m. and 9:00 p.m.; and the applicant had projected that customer traffic would average approximately 12.5 vehicles per hour with a 1:00 to 2:00 p.m. peak of 30 vehicles per hour and a 9:00 to 10:00 a.m. morning peak of 22 vehicles per hour. The maximum capacity that the car wash could serve would be approximately 60 cars per hour. In conclusion, Mr. Steele stated that a negative declaration had been issued for the proposed project on February 14, 1975, and had not been appealed.

President Newman called attention to a letter which had been received from Morton J. Gustin, the applicant, which read as follows:

"It is of the most extreme importance for Mr. Ted Armstrong of Armstrong Associates to be out of town on the 6th and 7th of March. Mr. Armstrong is the developer who is working for me on the site at 19th and Valencia. In addition to Mr. Armstrong's absence it is necessary to redraw the layout of the project so that is compatible with the desires of the planning staff and the Mission Planning Council whom we have been working with.

"We request a two week postponement."

Mr. Steele, noting that a number of people were present in the audience to comment on the subject application, recommended that the Commission proceed with the hearing as scheduled and that it consider a possible postponement at the conclusion of the hearing.

Mr. Colson, Real Estate Broker for the applicant, stated that he felt that it was extremely important that Mr. Armstrong should be present because of his expertise in the field of automobile car washes.

Mr. Steele noted that Mr. Gustin's letter had stated that the postponement was being requested so that Mr. Armstrong would have an opportunity to redesign the project; however, in view of the objections to the project which would be raised by members of the audience and by the staff of the Department of City Planning, he felt that it might not be desirable to encourage the applicant to spend money for revised plans.

President Newman announced that the Commission would proceed with the hearing as scheduled and that it would consider the request for postponement at the conclusion of the hearing.

Mr. Colson stated that he was in no position to make a presentation to the Commission, given Mr. Armstrong's absence.

No one else was present to speak in favor of the subject application.

Larry Farage, 73 Hill Street, submitted a petition which contained the signatures of more than 100 residents of the area in opposition to the subject

application. He then proceeded to summarize a written statement which read as follows:

"As part of our continuing concern with developments in the Mission District, the Mission Planning Council today is here in opposition to the granting of a Conditional Use Permit for a car-wash on the S.W. corner of 19th Street and Valencia. We have consulted with residents and merchants of that area who have signed the petition you see, and have informed us of their opposition to this use in this area.

"From our discussions with the residents and merchants, came the following:

"1. Residential area

"The type of use and the traffic will have a significant adverse impact on the primarily residential neighborhood surrounding the site. The 250 additional cars and more brought into the area by this use, will harm the residential character of the neighborhood. This use will have its greatest impact on the residential neighborhood along 19th Street. They will be most affected by the traffic traveling East on 19th Street, coming from the Twin Peaks and Noe Valley area. At present many of the side streets in the area contain great old victorian homes. Earl Moss, President of the Victorian Alliance is very concerned about the effect of the car-wash on the Victorians in the area. This area provides homes for at least 500 people. The residents already have a very difficult time finding parking. So the effect on this residential neighborhood will be significant.

"2. Traffic on Valencia Street

"This use and its traffic will cause problems for traffic on Valencia Street, which during the evening peak period is very congested in the south-bound lanes. The number of cars leaving and re-entering the traffic flow will be more than enough to slow down this traffic.

"3. Impact on other businesses

"You should have before you letters from a number of businessmen from the area, showing their concern about the effect of the car-wash and the traffic generated, on their businesses, many of which are automotive-oriented. They are concerned because many of their customers have to use Valencia Street in the normal operations of their businesses, and as you know, congestion means added costs and wasted fuel.

"4. Other gas stations

"There already is a surplus of gas stations in the area, with at least five former gas station sites along Valencia. This gas station will have to sell at least 100,000 gallons of gas a month to be profitable. This means taking business away from other gas stations in the area. The owner of one nearby Shell station felt that if this other station and car-wash were put in, it could possibly put him out of business. He said he sells between 40,000 to 60,000 gallons a month, so even a cut of 10-15,000 gallons a month would hurt his business. The site of the proposed car-wash was once a gas station and so was the empty lot across the street, and the same at the corner of 19th and Guerrero. So if this gas station car-wash goes in and another station goes out, we are trading one empty lot for another.

"5. Churches

"This will also affect approximately four churches in the area. The main concern of one church was the effect on the parking of their cars on the center meridian of Valencia Street during Sunday morning services. (This shows how bad parking really is in this neighborhood.)

"6. Mission Park and Playground

"On the corner of 19th Street and Linda is Mission Playground. This park serves the neighborhood with a new playground for very young children, a swimming pool, a basketball court, a black-topped baseball field, a couple of tennis courts, and some open space with tables and benches. The swimming pool is scheduled to be rehabilitated soon, which will mean even more children and adults using the park facilities. It is also our hope that Mission Park be expanded, so that it will one day front on Valencia Street.

"The man in charge of the park says that the park draws children from about a two square block area. What is the added traffic going to do to the children who use the park? It is now very difficult even for adults to cross Valencia at this corner, so it is going to be even harder for young children to cross Valencia in the future. The added cuts in the sidewalk will mean the children and adults will have to cross the paths of even more cars. This is totally unacceptable to the residents and merchants, even if the cuts are only on Valencia Street.

"You are aware of what a nice park can do for the quality of life of the residents in the area, and I hope you are aware of the negative effects of a car-wash on the park and the residents.

"7. Day Care Centers

"The playground at the park is used by a number of day care centers in the area. In some cases the new traffic obstacles will create greater hardships on the children and on the instructors taking children to the playground. Also many parents bring their children to the centers by bus.

"8. Muni

"The number 26 Valencia line has a stop on this corner. This means that if a car waiting to get gas and a free car wash is sticking out into the traffic lane, then a bus, and/or other traffic will have to move into the center lane to get around the car. This will slow both the bus and the traffic down especially in the evening rush hour. By the architect's figures 25% of their customers would come in during the evening commuter period. This will mean more congestion on Valencia Street, and difficulties for Muni.

"9. Fire Department

"The car-wash will also affect the route the fire trucks from the station at 19th Street and Folsom use, which is 19th, whenever they have to travel west. They may have to weave their way through traffic waiting to get into the gas station. This use on this corner will cause problems for both of these city departments, and we feel these problems should not be allowed to occur.

"10. Senior Citizens

"This car wash will also present problems for the senior citizens who will be moving into new MHDC housing at the corner of 19th and Guerrero streets. This use will mean they will have to cross through more traffic. Also if Muni decides that this use will mean too many problems for their buses, then they may move the bus stop to a less accessible location, thus making it harder for the residents to receive services from its Muni. You should have a letter in the file from MHDC confirming their concern about the car wash on their residents.

"11. Broader Question of Zoning

"The current zoning for this site is C.M. It is our contention that this should, one day soon, be rezoned to C.R. and that the incompatible manufacturing uses be moved to a more ideal location in the Mission District. Basically this C.M. is a long, narrow finger down Valencia Street. One of the problems already created by this C.M. district can be seen almost daily in front of the Pepsi Cola factory further up Valencia. Pepsi constantly has large

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trucks backing in and out of their dock area, blocking the flow of traffic on Valencia Street. These types of uses should not occur in this mainly residential area.

"12. Alternate Uses

"We feel this site should contain a use that is more compatible with the surrounding neighborhood. A few suggestions would be, a restaurant, housing, offices, stores (a hardware or medium size grocery store) or even some combination of these.

"13. Traffic in Residential Areas

"It is our understanding that the City would like to see a decrease in traffic in residential neighborhoods. If so, then it would not be wise to allow such a use as a gas station car-wash in an area surrounded by residential uses.

"In spite of the fact that the car-wash will employ 10-15 people, this will not have any significant effect on the employment picture for the Mission District. These jobs will be mainly parttime and low paying. Also the bus bench and landscaping will have little effect on the people who use this corner.

"Because of the reasons stated above, the Mission Planning Council supports the local neighbors in their opposition to the issuance of a Conditional Use Permit for a gas station and car-wash on this site."

Commissioner Rueda asked if it was possible that the Mission Planning Council would be willing to negotiate with the applicant for changes in the proposed facility. Mr. Farage replied that the Council would probably be willing to discuss the matter with the applicant; but he felt that they would continue to be opposed to the project.

President Newman stated that the Commission had received a letter from the owner of the Gantner-Maison-Domergue Mortuary stating that he would be opposed to the proposed facility if it would have any detrimental effect on his business.

Toby Levine, representing the Mission Planning Council, stated that she had talked with between 150 and 200 residents and businessmen in the subject neighborhood; and, based on their reaction to the proposal, she did not feel that a redesign of the project would cause them to change their point of view regarding the applicant's proposal. When asked by Commissioner Fleishhacker if she would be opposed to a gasoline station without a car wash on the subject site, Ms. Levine replied that the neighborhood has a number of vacant lots which were previously occupied by gasoline service stations; and, if a new gasoline service station were to be constructed on the subject site, she believed that it would probably put another existing service station out of business.

Commissioner Fleishhacker observed that a gasoline service station without a car wash could be constructed on the subject property without specific authorization from the Commission because the property is zoned C-M.

Charles Dillon, 3528 19th Street, stated that his main objection to the proposed project was related to the traffic which it would generate. That traffic would constitute a hazard for children going to and from the Mission Playground, for the senior citizens who will be moving into new housing at the corner of 19th and Guerrero Streets, and for fire trucks from the station at 19th and Folsom Streets.

Mr. Jennings, a resident of the neighborhood, remarked that he had been able to find time to come to the afternoon meeting which had been scheduled by the Commission; and he felt that the applicant's representatives should have been able to make arrangements to be present, also. He emphasized that two corners at the subject intersection had previously been occupied by gasoline stations; however, those stations, as well as others in the neighborhood, had recently gone out of business. Nevertheless, a gasoline service station is still available at the intersection of 20th and Valencia Streets to serve the needs of the neighborhood. He surmised that some residents of the neighborhood would object to construction of a gasoline service station without a car wash on the subject site while other residents of the area would not object to such a proposal; but he believed that most residents of the area would object to an automobile station with a car wash because of the traffic which such a facility would generate and because of the effect of that traffic on bus service and fire trucks. He hoped that the application would be disapproved; however, if it were to be approved, he felt that the Commission should first require that a traffic study be undertaken and that it should also establish a condition limiting the hours of operation of the proposed facility.

Commissioner Fleishhacker asked why a gasoline service station would be permitted as a principal use in a C-M zone whereas a car wash requires conditional use authorization in the same district. Mr. Steele believed that the Code had been written to require conditional use authorization for automobile washes since such uses are typically more disruptive, require more land, and are more difficult to control than service stations.

Commissioner Fleishhacker asked if he were correct in assuming that the major problems associated with automobile washes are traffic and noise. Mr. Steele replied in the affirmative.

Mr. Farage informed the Commission that the proposed facility was anticipated to have a noise level of 70 DBAs at the corner of Valencia and 19th Streets and a noise level of 60 DBAs at the back end of the lot; however, he emphasized that the rear portion of the lot is 100 feet closer to an adjacent residential building.

A resident of the neighborhood stated that there is a car wash on South Van Ness Avenue between 16th and 17th Streets; and she indicated that automobiles waiting to use that facility block the sidewalk so that it is impossible for pedestrians to pass.

Another resident of the neighborhood remarked that the car wash would probably experience heavy use on Saturday mornings; and he pointed out that the Saturday morning traffic would conflict with the traffic generated at the same time by a religious facility located two doors away.

Mr. Farage stated that he felt either a car wash or a gasoline service station would be inappropriate for the subject site; and he asked that the subject application be disapproved.

Mr. Gustin remarked that it was unfortunate that the Commission had proceeded with the hearing on the subject application without receiving testimony from Mr. Armstrong, who would have provided them with pertinent technical data. He stated that there are two types of car wash operations, one which provides full service and requires a great amount of space and the other which involves only exterior cleaning. He emphasized that the operation which he was proposing to install would be of the latter type. He indicated that space would be available on the site for 24 automobiles; and, as a result, he did not feel the line of automobiles waiting to be serviced would extend over the sidewalk or into the streets. Even if the car wash were not constructed, he estimated that any gasoline service station constructed on the site would sell approximately the same amount of gasoline per month; and, as a result, the same amount of traffic would be generated. In conclusion, he stated that the proposed facility would employ twelve people; and, therefore, he felt that it would be good for the Mission District and for the City as a whole.

Mr. Steele remarked that the applicant was present although his associate had been unable to attend the meeting; and, since the design of the proposed facility did not seem to be the real issue, he did not feel that it would be appropriate for the Commission to postpone action on the subject application. He believed that the proposed use would generate noise and activity which would be detrimental to the residential quality of the adjacent area; and he noted that a substantial number of persons residing in the area had expressed opposition to the proposed use. Under the circumstances, it was the recommendation of the Director of Planning that the application be disapproved.

Commissioner Fleishhacker, expressing concern about the consistency of the Commission's actions, asked if the Commission had ever granted a Conditional Use Authorization for a car wash adjacent to residential properties. Mr. Steele replied that the Commission had granted a Conditional Use Authorization for a car wash at Mission Street and Silver Avenue adjacent to a residential use. However, that property was considerably larger than the site presently under consideration; and, in approving the Conditional Use, the Commission had established conditions to buffer the use from the adjacent residential property.

Commissioner Ritchie agreed that the Commission should try to be consistent. However, he felt that the proposed use would be most inappropriate on the subject property. Therefore, he moved that the application be disapproved. The motion was seconded by Commissioner Finn.

Commissioner Fleishhacker asked the applicant if he still wished to have a two week postponement in spite of what he had heard during the course of the hearing. After Mr. Gustin had replied in the affirmative, Commissioner fleishhacker observed that the Commission had traditionally granted legitimate requests for postponement. He then asked why Mr. Armstrong had been unable to attend the Commission's meeting. Mr. Gustin replied that Mr. Armstrong had been required to appear before a public body in Fresno concerning another car wash proposal.

Commissioner Porter felt that the proposed use would constitute an infringement on adjacent residential properties and would have an adverse effect on the recreation area which is located in the same block; and she doubted that any additional testimony would cause her to change her vote.

Commissioner Finn asked the applicant if construction of a gasoline service station without a car wash on the subject site would be a feasible project. Mr. Gustin replied in the negative.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7296 and to disapprove the subject application.

CU75.7 - 1278 LA PLAYA, EAST LINE, 100 FEET NORTH OF IRVING STREET.
REQUEST FOR AUTHORIZATION TO INCREASE THE NUMBER OF GUESTS
IN THE EXISTING RESIDENTIAL CARE HOME FROM SIX TO TEN; IN
AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 25 foot frontage on La Playa Street and a total area of 3,000 square feet. He indicated that the structure occupying the site is presently used as a residential care facility for six patients; and he stated that the applicant proposed to expand the occupancy of the existing facility to ten aged ambulatory patients by converting two private rooms to semi-private and by constructing a bathroom within an existing light well on the lower level in order to make an existing recreation room usable for a bedroom for two patients. The proposed interior alterations would, therefore, create a five bedroom, three bath facility where four bedroom and two baths presently exist. The solidly fenced rear yard which contains a deck area and landscaping would remain unchanged. In conclusion, he stated that a negative declaration had been issued for the proposed project on January 31, 1975, and had not been appealed.

Sadie A. Hills, the applicant, stated that she had invested the insurance money which she had obtained at the time of her husband's death in the residential care facility; and, because of the quality of service which she offered,

she had received many requests to take in additional patients. She emphasized that the proposed structural changes would not alter the appearance of the exterior of the building in any way; and she believed that the new double room which would be created would be desirable for a husband and wife who need nursing care. She felt that expansion of the existing facility would be an asset for the community; and she urged that the application be approved.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved. He remarked that the need for well-managed residential care facilities has been substantiated by the Social Services Department and the State Department of Public Health; and he remarked that the operator of the subject facility had demonstrated a capability of caring for elderly patients. He did not believe that a residential care facility of the size and character proposed would have a significant detrimental effect on the residential character of the neighborhood. He then distributed copies of a draft resolution which had been prepared for consideration by the Commission and summarized the six conditions which it contained.

President Newman asked if the conditions which had been recommended by the Director of Planning would be acceptable to the applicant. Mrs. Hills replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7297 and that the application be approved subject to the conditions which had been recommended by the Director.

ZM75.1 - WEBSTER STREET, EAST LINE, 87.5 FEET NORTH OF POST STREET.
R-4 TO A C-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a width of 27 feet and a depth of 48 feet, for an area of 1296 square feet. He stated that the subject application had been filed by the San Francisco Redevelopment Agency; and he indicated that the subject lot would be used in conjunction with an adjacent corner lot which is already zoned C-2 for construction of a 40 lane bowling alley. He stated that the approved redevelopment plan calls for use of the subject lot for commercial purposes; and he indicated that the proposed rezoning was not required to have an Environmental Review because it is part of an approved redevelopment project.

President Newman, observing that the proposed re-classification was required to implement a redevelopment plan which had been adopted a number

of years ago, asked if it would be possible to change that plan. Mr. Steele replied in the affirmative, indicating that the plan could be amended. However, that amendment would have to be initiated by the Redevelopment Agency and be approved by the City Planning Commission and the Board of Supervisors.

Commissioner Fleishhacker asked why the zoning of the property had not been changed when the Redevelopment Plan was adopted. Mr. Steele replied that the Redevelopment Agency has followed a policy of acquiring properties before seeking zoning changes.

Arthur Evans, Executive Director of the San Francisco Redevelopment Agency, explained that the Redevelopment Agency sometimes increases the zoning density of properties which it acquires and at other times "down-zones" the properties; and, if the zoning of the properties were to be changed before the properties are acquired by the Redevelopment Agency, "wind fall" profits or losses would sometimes occur.

Commissioner Porter remarked that the subject parcel of property seemed to be extremely small in size. Mr. Evans agreed. He indicated that the size of the lot had been reduced by the Webster Street widening; and, since the size of the lot is less than the minimum required for R-4 development, the lot could not be developed with an R-4 building if it were to retain its present zoning. In any case, the approved Western Addition Redevelopment Project Plan had designated the property for commercial development.

President Newman, observing that many people were present in the audience who appeared to be in opposition to the subject application, asked Mr. Evans if he could explain why there was so much neighborhood opposition to the proposal. Mr. Evans stated that he took the position that the Nihonmachi Corporation adequately and definitively reflected the prevailing viewpoint of the community, although he acknowledged that other people might disagree with him. He stated that a couple of promoters had been attempting to get publicity during the past couple of months by stirring up issues among young people in the neighborhood.

President Newman then asked for a show of hands of individuals present in the audience in support of the application. Approximately 6 people responded. He then asked for a show of hands of those opposed to the proposed re-zoning, and approximately 70 people responded. Further inquiries revealed that none of the people in opposition to the application live within 300 feet of the subject site and that about one half of the people in opposition live within 15 blocks of the site.

Masao Ashizawa, representing the Nihonmachi Corporation, advised the Commission that his Corporation's master plan had always designated the subject parcel of property for commercial development; and he believed that individuals who had opposed the proposed reclassification had consistently taken a non-productive stance. He emphasized that the subject property is vacant and that development of the site with a commercial use would not require eviction of residential tenants.

Yori Wada, Vice-Chairman of the Nihonmachi Corporation, stated that either through mis-communication or mis-understanding the members of the corporation had not been aware that the subject property was not already zoned for commercial use. He stated that he had served on the corporation's allocation committee which had had responsibility for recommending which developer should be awarded the property; and, although the recommendation of the committee had been overturned, he felt that an injustice would be done to the developer who had won the award if he were not allowed to proceed with his project. He regretted that the Nihonmachi community was divided; but he advised the Commission that the point at issue was not the specific property presently under consideration but the entire four square block Nihonmachi area. Under the circumstances, he urged that the subject application be approved.

Commissioner Porter felt that the buildings which have been constructed in the Nihonmachi project are very handsome; and she believed that the project had brought greater credit to San Francisco than many other redevelopment projects. It seemed to her that a property of less than 2000 square feet should not generate the type of opposition which was obviously present; and she asked if most of the people present in opposition to the application had been evicted to make way for construction of other buildings in the Nihonmachi project.

Mr. Wada stated that he would probably be siding with the group of people who were asking for massive changes in the Redevelopment Plan if the clock could be turned back 10 years; however, in view of the commitments which had been made to merchants and small businessmen during the past decade, he felt that the Nihonmachi project must be completed as proposed. Therefore, he urged that the application be approved.

Mr. Nakamura, architect for the developer of the subject property, stated that plans for the proposed development are almost completed; and he indicated that construction should be underway by the end of April.

Saichi Kawahara, representing the Community Against Nihonmachi Eviction, (CANE), remarked that more members and supporters of his group would have been present in opposition to the proposed re-zoning if the Commission's meeting had not been scheduled in the afternoon; but he indicated that they were present in spirit. He advised the Commission that the purposes of his group were to stop the destruction of the Japanese Community and to uphold the rights of residents and small businessmen in the Nihonmachi area. He stated that the Japanese people had been exploited since they first landed on this continent; but in spite of the fact that more than one hundred ten thousand of their people were incarcerated during World War II, they had returned to rebuild a Japanese community in San Francisco. However, that new community is now being destroyed by the Redevelopment Agency; and the Japanese community is once again being dispersed. He stated that the Redevelopment Agency had harassed, lied to, and abused the members of his group; and the Agency had persisted in driving out residents and small businessmen just to create a tourist attraction for the benefit of large corporations. At the same time, the Redevelopment Agency has been building expensive

apartments in the Western Addition "for junior executives from the Wall Street of the west"; and present residents of the area who are being evicted cannot afford to pay the rents commanded by the new buildings. While Mr. Evans had referred to the subject lot as a small parcel of property, the fact remained that it is a part of the overall Nihonmachi project which has resulted in the eviction of 3,000 residents and the closing down of a number of small businesses. In his opinion, the Redevelopment Agency has attempted to destroy and disperse every Third World organization which has stood in its way, it has "bought off" small groups of merchants to defend its plans, and it has worked hand-in-hand with large corporations such as Kintetsu to destroy and disperse the Japanese community. The neighborhood has a desperate need for low-cost family housing; and he felt that the subject property should be used for that purpose rather than for a bowling alley.

Joyce Nakamura, also representing CANE, stated that the members of her group would no longer tolerate the Redevelopment Agency's attempts to turn their neighborhood into a disgusting tourist trap. She stated that re-zoning of the subject property had been requested so that the Kintetsu Corporation could build a bowling alley and further exploit the neighborhood; and she demanded that the application for the re-zoning be disapproved. Approval of the application would only further implement the Redevelopment Plan, the goal of which is to destroy the Japanese community; and she felt that the plan should be scrapped so that low-rent housing and space for small businesses could be constructed.

Ellen Jones, also a member of CANE, stated that people are being evicted and residential buildings are being bull-dozed throughout the city to make room for more commercial uses; and she felt that the residential tenants and small businesses should have a right to live in peace without fear of displacement. She emphasized that people of all nationalities live in the Nihonmachi area; and she indicated that she had already seen many people evicted from the neighborhood. She stated that she wished to continue to live in the neighborhood; and she felt that people should have a right to live where they choose. Therefore, she asked the Commission to disapprove the subject application so that low-income housing could be built on the subject site.

Glenn Onatsu stated that he lives and works in the Nihonmachi area and had watched the Redevelopment Agency bull-doze housing in the area and replace it with big business enterprises and high cost housing, taking land from the poor and giving it to the rich. The issue was bigger than the single matter which was presently before the Commission for consideration and encompassed the entire process of redevelopment and its effect on the community.

Doug Yamamoto, representing Japanese Community Services, felt that the request for reclassification of the subject property represented the "last straw" in the community's struggle with the Redevelopment Agency; and he indicated that his organization sided with CANE in its opposition to the proposed re-zoning. Mr. Evans of the Redevelopment Agency had referred to the proposed re-classification of the subject property as a "small item". However, a bowling alley would be constructed on the property; and he did not

regard such a project as a "small item" when there is a severe need for low-income housing in the neighborhood. If the Commission were to approve the application for re-zoning of the property, it would, in effect, be giving authorization to a foreign corporation to build whatever it wishes and to make a profit at the expense of the people of San Francisco.

A representative of the Filipino Community located south of Market Street, stated that the people of San Francisco do not need recreational facilities such as bowling alleys as much as they need low-cost housing. He stated that more than 2,000 people had been dislocated to make way for the Japanese Cultural and Trade Center; and he did not feel that any agency should have had the right to take such action without providing people with alternatives. He remarked that there used to be a lot more Japanese people in the Nihonmachi area than at the present time; and he felt that the effect of the Redevelopment Agency's programs had been to disperse the Japanese community.

Hilda Leavenworth, representing tenants of the International Hotel, remarked that Chinatown had not yet been plagued with redevelopment; however, since it may be the target of redevelopment programs in the future, she felt that the matter presently before the Commission for consideration was of city-wide concern. She emphasized that reports which had been published by the Department of City Planning had recognized that there is a need for low-rent housing in San Francisco; and she felt that the Commission, also, should recognize that fact and respond to the re-zoning application presently under consideration in a reasonable way. While it appeared that the Commission felt bound by a Redevelopment Plan which had been approved ten years ago, she felt that there still might be something that the Commission could do to respond positively to people's needs if it so desired.

Cliff Hellen, a homeowner in the Western Addition, submitted brochures which had been published by the Redevelopment Agency claiming that socially-oriented housing would be built in the vicinity of Webster and Post Streets; and, since that housing had not materialized, he felt that the re-zoning application presently before the Commission should be disapproved as a matter of principle. He stated that he had watched the Redevelopment Agency destroy beautiful Victorian buildings to provide sites on which foreign investors could construct high-rise hotels; and he felt that enough devastation had already taken place in the Western Addition.

Robert Wong stated that low-cost housing is needed in Chinatown, also; and he indicated that he had come to the Commission's meeting to express his support for the position which was being taken by CANE and to fight further exploitation by the Redevelopment Agency.

Mr. Steele stated that it was the recommendation of the Director of Planning, given the requirements of the Redevelopment Plan and the cooperative agreement between the Redevelopment Agency and the City, that the subject application be approved.

Commissioner Ritchie stated that he had lived in Japan and that he had been active in Japanese-American affairs; and he indicated that he had been especially critical of redevelopment projects in San Francisco, particularly with respect to their design and their impact on the community. He stated that he had been horrified when the drab concrete buildings of the Japanese Cultural and Trade Center had arisen out of the ground; and, in addition, he was disturbed by what had taken place within those buildings. Furthermore, he regarded the wood-frame dwellings which had been constructed in the Nihonmachi as only a veneer of truly inspired Japanese architecture. He remarked that he had been shocked to learn of the quite bitter struggle which apparently is taking place in the Nihonmachi Community at the present time; and he felt that the Commission should concern itself with the needs of the people who had spoken in opposition to the re-zoning and that it should send the matter back to the Redevelopment Agency with a request that the Agency revise its plans to satisfy the needs of the community. In his opinion, a new building with a bowling alley, bars, etc., would not add to the character of the Nihonmachi; and he believed that the neighborhood has enough uses of that type already.

President Newman asked how Commissioner Ritchie's proposal could be implemented. Mr. Steele replied that the only way that the proposal could be implemented would be through amendment of the adopted Redevelopment Plan; and he indicated that such an amendment would have to be initiated by the Redevelopment Agency and approved by the City Planning Commission and the Board of Supervisors.

Commissioner Rueda stated that he felt that the Redevelopment Agency would be making a mistake if it were to construct a bowling alley on the subject property. While he did not know if disapproval of the subject application would prevent construction of the bowling alley, he moved that the application be disapproved as an expression of objection to the bowling alley use. The motion was seconded by Commissioner Ritchie.

Commissioner Porter stated that she did not feel that she was being asked to vote for or against bowling alley. In her opinion, the issue before the Commission was whether a lot of less than 2,000 square feet should be re-zoned for commercial use in accordance with the approved Redevelopment Plan. She then asked if it was mandatory that a bowling alley should be constructed on the subject site.

Gene Suttle, representing the Redevelopment Agency, stated that the Nihonmachi Corporation had awarded the site to a developer who intended to construct a bowling alley. However, if that venture should fail, the property could be offered to other interested developers who would pursue other commercial possibilities.

Commissioner Finn asked what could be built on the subject property if the Commission should refuse to re-zone it from R-4 to C-2. Mr. Suttle stated that he had understood that the subject lot, having an area of less than 2,000 square feet, would be too small for an R-4 development. He also

advised the Commission that the Nihonmachi Corporation has adhered to a strict development schedule; and, if the Commission should fail to approve the request for reclassification of the subject property, the result would be to penalize the developer of the site.

Commissioner Fleishhacker, remarking that the subject property would constitute only a small portion of the site on which the bowling alley would be constructed, asked about the size of the remainder of the site. After being advised that the remainder of the site has area of approximately 19,000 square feet, he asked if it would be impossible for the developer to construct a bowling alley on that property without using the subject lot.

Mr. Suttle replied that it might be possible to construct a bowling alley on the remainder of the site. He emphasized, however, that the Board of Supervisors had adopted a Redevelopment Plan and had determined that the subject lot should be used for commercial purposes; and, under the circumstances, the Commission's action on the subject application was ministerial in nature. The basic issue was one of zoning; and, if a bowling alley is not constructed on the subject lot, the lot will be used for some other commercial purpose.

Commissioner Fleishhacker, noting that the subject R-4 lot is bounded on two sides by C-2 properties, asked if the lot could be used for commercial purposes without being re-zoned. Mr. Steele replied that the property could be used only for commercial uses which would qualify for Conditional Use Authorization if it were to retain its R-4 zoning.

Commissioner Porter asked if the decision to construct a bowling alley on the subject property was irrevocable. Mr. Suttle replied that the Nihonmachi Corporation had allocated the property for a bowling alley; and the Redevelopment Agency had accepted that allocation.

Commissioner Finn asked if Mr. Suttle's assertion that the Commission's action was ministerial in nature was correct. Mr. Steele responded that a cooperative agreement, which in essence is a contract, had been signed between the City and the Redevelopment Agency; and, if the City Planning Commission should refuse to re-zone the subject property, the Redevelopment Agency could sue the City and demand that the property be re-zoned in accordance with the Redevelopment Plan.

Commissioner Porter asked if the re-zoning of a lot having an area of less than 2,000 square feet was really a matter of great importance to the Redevelopment Agency. Mr. Evans replied that the Redevelopment Plan for Western Addition Project Area A-2 had been prepared and adopted in accordance with State law; and he indicated that he had understood from the City Attorney's Office that the re-zoning of properties in accordance with the approved Redevelopment Plan is a ministerial act on the part of the Commission. If the Commission should refuse to approve the re-zoning, considerable delay would probably result; and that delay would have a more punitive effect on the developer than on the Redevelopment Agency. With regard to the issue of

housing, he noted that the entire block on the opposite side of Webster Street has been designated for development with low-cost housing; but the Redevelopment Agency had experienced difficulties in obtaining funding for that development from the Department of Housing and Urban Development. Under the circumstances, he felt that the members of CANE could use their energies to better advantage by helping the Agency to obtain the necessary funding for the low-cost housing instead of fighting the proposed re-zoning of the subject lot.

President Newman asked if there were any possibility that low-cost housing could be constructed on the subject site if the R-4 zoning were to be retained. Mr. Evans replied in the negative, indicating that the Redevelopment Agency would be extremely disinclined to construct additional low-income dwelling units in the Western Addition, and area which already has the largest concentration of low-income units west of New York city.

Commissioner Fleishhacker asked if the proposed bowling alley could still be constructed on the corner lot if the subject property were to retain its present R-4 zoning. Mr. Nakamura, architect for the developer, replied that the number of lanes in the bowling alley would have to be reduced if the building were to be confined to the corner lot. However, given the fact that the entire area is already in commercial use or destined to be developed with commercial buildings, he saw no reason not to change the zoning of the subject lot.

President Newman remarked that members of the community who had addressed the Commission had taken the position that there is a need for low-income housing and for commercial space for small businessmen in the neighborhood; and he noted that other speakers had indicated that other developers had expressed an interest in the property on which the bowling alley was proposed to be located. Under the circumstances, he wondered if it was possible that the site could be used for small business firms instead of being developed with a bowling alley. Mr. Evans replied that the decision to allocate the property for a bowling alley had been made by the Nihonmachi Corporation through its own democratic processes; and he indicated that the Redevelopment Agency had agreed with the need for a recreational activity in the area.

Commissioner Porter stated that she intended to vote against the motion for disapproval of the application. Having seen the subject property, she believed that it was naturally suited for commercial zoning. Furthermore, she felt that the arguments made by the individuals who had spoken in opposition to the re-zoning were really not pertinent to the issue before the Commission. She also emphasized that certain procedures had been established through which the Board of Supervisors and the City Planning Commission have worked with the Redevelopment Agency; and she did not feel that those procedures should be upset.

Commissioner Finn stated that he, also, intended to vote against the motion for disapproval of the application. While he had not been entirely

happy with redevelopment procedures, he noted that redevelopment is the only vehicle we have to help improve the quality of life in our urban areas. In accordance with the contract between the Redevelopment Agency and the City, the Commission was faced with a ministerial duty which it must perform; and, under those circumstances, he intended to vote for approval of the application.

When the question was called, the motion to disapprove the application failed by a 2-4 vote. Commissioners Ritchie and Rueda voted "AYE" Commissioners Finn, Fleishhacker, Newman, and Porter voted "NO".

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried 4-2 that the draft resolution of approval which had been prepared by the staff of the Department of City Planning be amended and that it be adopted as City Planning Commission Resolution No. 7298 with the following resolve:

"THEREFORE BE IT RESOLVED, That it is incumbent upon the City Planning Commission to approve application No. ZM75.1."

Commissioners Finn, Fleishhacker, Newman, and Porter voted "AYE"; Commissioners Ritchie and Rueda, voted "NO".

At 4:50 p.m. President Newman announced a five minute recess. The Commission reconvened at 4:55 p.m. and proceeded with hearing of the remainder of the agenda.

CU75.9 - JENNINGS STREET, WEST LINE, 240 FEET NORTHEAST OF EVANS AVENUE. REQUEST FOR AUTHORIZATION FOR A RENDERING PLANT; IN AN M-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 276 feet of frontage on Jennings Street and a depth of 210 feet for a total area of approximately 58,000 square feet. The property, which is located in the India Basin Redevelopment Project Area, is presently vacant. The applicant proposed to relocate the existing Pacific Rendering Company from its existing location within the Redevelopment Project Area to the subject site. Plans which had been submitted with the application showed a 15-foot landscaped set-back along both street frontages with a fence or building wall screening activities in the yard area from the streets. A 35-foot by 48-foot, one-story administration building was shown on Newhall Street. The rendering plant itself would be housed in an 80-foot by 125-foot building on Jennings Street, 75 feet north of the southern property line. In the yard area between the two buildings parking spaces would be provided for 14 trucks. Mr. Steele advised the Commission that City and State officials had recently discussed the possibility that Jennings Street in front of the subject property should be widened to become a major industrial street in lieu of constructing the proposed Hunters Point Freeway. In conclusion, Mr. Steele stated that the subject application was not required to have environmental review because the property is part of an approved redevelopment project.

John Caito, President of the Pacific Rendering Company, indicated that he was present to answer any questions which might be raised by members of the Commission.

Earl Mills, Project Manager for the India Basin Redevelopment Project Area, stated that the proposed development was in conformity with the Redevelopment Plan for the area; and he urged that the application be approved.

No one else was present to be heard on this matter.

Mr. Steele stated that it was the Director's recommendation that the application be approved subject to twelve specific conditions which were identical to those which had been applied to the Royal Tallow Company Rendering Plant which is located to the north of the subject property; and he indicated that those conditions had been effective in controlling any odors resulting from the operation of the Royal Tallow facility. He then summarized the conditions which were contained in the draft resolution which had been prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Caito replied in the affirmative. He stated that his firm's existing facility would comply with the conditions which had been recommended by the staff; and he felt that the proposed plant would be a far superior facility.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7299 and that the application be approved subject to the conditions which had been recommended by the staff.

CU75.8 - 175 QUINT STREET, NORTHEAST CORNER OF CUSTER AVENUE.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING YARD;
IN AN M-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 240-foot frontage on Quint Street and a 150-foot frontage on Custer Avenue for a total area of 36,000 square feet. The site is presently vacant. The applicant proposed to expand his existing automobile dismantling and part sales operation which is located at 398 Quint Street, approximately two blocks to the west of the subject site. According to the applicant, the additional site is needed to accommodate increased business activity and would be used for the storage of automobiles and parts. No crushing of scrap metal would occur on the site. The hauling of cars and parts would occur primarily along Third and Army Streets, both industrial thoroughfares. The subject site lies within the boundaries of the Southeast Sewage Treatment Plant expansion as proposed in the draft Environmental Impact Report which is scheduled to be heard by the City Planning Commission on March 20, 1975. If the treatment plant expansion receives all necessary

approvals, the City's Department of Real Estate has projected that property acquisition would be well in progress by June, 1975; however, existing uses north of Custer Street, including the subject site, would be allowed to continue at least until March, 1976. In conclusion, Mr. Steele stated that a negative declaration had been issued for the proposed project on February 14, 1975, and had not been appealed.

James Berg, Attorney for the applicant, stated that his client was proposing to expand an existing facility in an area which is entirely industrial in character. The lot, which would be used for the storage of vehicles, would be fenced; and, since the property is not being used at the present time, he felt that the proposed use would enhance the area. In conclusion, he urged that the Conditional Use Authorization be granted for a minimum of two years.

President Newman asked if he were correct in understanding that property acquisition for the Southeast Sewage Treatment Plant expansion might commence in March, 1975, and that existing uses north of Custer Street might be discontinued after March, 1976. Mr. Steele replied in the affirmative and remarked that the granting of a conditional use authorization to the applicant beyond the March, 1976, date might constitute an additional property right which would cause legal problems for the City.

Mr. Berg stated that his client had purchased the subject property without knowledge that it was to be required for the Sewage Treatment Plant expansion; and he felt that the owners of the property should be entitled to use it until it is acquired by the City. Furthermore, he did not feel that it would be proper for the City Planning Commission to prevent development of the site for the purpose of lowering the City's acquisition cost. In reply to a question raised by Commissioner Finn, Mr. Berg stated that the property had been purchased by his client in December, 1974; and he indicated that his client had not known that the property was to be acquired for expansion of the Sewage Treatment Plant until he had received a negative Environmental Impact notice from the Department of City Planning.

Mr. Steele stated that it was the recommendation of the Director of Planning that the subject application be taken under advisement until the Commission's meeting of April 3, 1975, because the subject property is located within the boundaries of the proposed Southeast Water Pollution Control Plant expansion which will be the subject of an Environmental Impact Report public hearing to be held on March 20.

Commissioner Fleishhacker doubted that any additional information would be made available concerning the schedule for acquisition of property for the treatment plant expansion on April 3; and, under the circumstances, he saw no reason to postpone action on the subject application. Commissioner Ritchie also felt that the Commission should act on the application during the present meeting; and he moved that Conditional Use Authorization be granted for the proposed automobile wrecking yard for a two year period. The motion was seconded by Commissioner Porter.

Commissioner Fleishhacker stated that he could not support the motion unless specific conditions were attached to the authorization; and he asked the staff if it was prepared to recommend conditions for the Commission's consideration.

Mr. Steele stated that a draft resolution with conditions could be prepared and placed before the Commission at its next meeting.

Commissioner Rueda asked if the conditions contemplated by the staff would require the applicant to make major improvements on the property. Mr. Steele replied that it would probably be unfair to require the applicant to meet the same standards which had been applied to long-term conditional use authorizations for wrecking yards if his operation were to be existent for only two years.

Commissioner Finn stated that he would vote against the motion. He indicated that he was concerned about "windfalls"; and, if the applicant were granted authorization to conduct an automobile wrecking yard business on the subject property, that authorization might improve his chances of realizing a greater "windfall" when the property is acquired by the City.

When the question was called, the motion failed by a vote of 2-4. Commissioners Porter and Ritchie voted "AYE"; Commissioners Finn, Fleishhacker, Newman, and Rueda voted "NO".

Subsequently, it was moved by Commissioner Rueda, seconded by Commissioner Finn, and carried 4-2 that this matter be taken under advisement until the Commission's meeting on April 3, 1975. Commissioners Finn, Fleishhacker, Newman, and Rueda voted "AYE"; Commissioners Porter and Ritchie voted "NO".

EE74.253 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR A 38 STORY OFFICE BUILDING TO BE LOCATED AT 444 MARKET STREET, NORTHWEST CORNER OF FRONT STREET, AND TO BE CONNECTED WITH AN EXISTING PARKING GARAGE WITH ACCESS TO BATTERY STREET.
(CONTINUED FROM MEETING OF FEBRUARY 27, 1975).

Dean L. Macris, Director of Planning, reported on this matter as follows:

"In continuing consideration of the Environmental Impact Report from last week the Commission raised three matters.

"A) First, you asked how many windows in the 111 Pine Street building would be blocked by the proposed 444 Market Street building.

"Based on plans for the 111 Pine Street building filed with the Bureau of Building Inspection, a total of 216 windows would be

blocked. Eleven of these would be in elevator lobbies, and the remaining 205 are office windows. We believe at least 109 of these office windows are providing light to offices also receiving light from windows on the east or west sides of 111 Pine.

"B) Second, you asked about the legality of these windows under the Building Code.

"From discussions with staff at the Bureau of Building Inspection and in a letter from Mr. Goldberg, Superintendent of that bureau, it is clear that all 216 windows were required by the Code applicable at the time 111 Pine Street was built, and by the present Building Code, to be replaced by an acceptable fire rated material (closed) upon construction of an adjacent building.

"C) Third, you requested that representatives of 444 Market Street and 111 Pine Street meet to review what might be done to protect the 111 Pine Street windows. Such a meeting was held in my office on Tuesday. I imagine the participants of that meeting will want to review their positions resulting from that meeting with you.

"Last week I recommended that the EIR be certified as complete, accurate and objective. This week Dr. Bendix and I again reviewed this matter. The blockage of all windows on the south side of 111 Pine Street has been described in the Impact Report and is listed as an adverse environmental effect.

"I would again recommend that the Commission certify completion of the report in compliance with CEQA, and as I do not believe the blockage of light and views of windows which were installed with knowledge that they would be required to be closed if an adjacent building were built can be deemed a significant environmental effect under the intent of CEQA, I further recommend that the Commission determine that the subject project would not have a significant effect on the environment. A resolution has been prepared."

Wally Ehlers of Milton Meyer and Company represented Walter Shorenstein, owner of the building at 111 Pine Street. He stated that Mr. Shorenstein was vitally concerned about the blockage of the windows in his building; however, as a good citizen, he had decided to take a neutral position regarding the proposed building.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7300 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated March 6, 1975 concerning the 38-Story Office Building at 444 Market Street is

adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment;

"AND BE IT FURTHER RESOLVED, That the Commission, before acting on the project itself under case numbers CU75.6, DR75.3 does hereby certify that it has reviewed and considered the information contained in said Final Environmental Impact Report."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU75.6 - REQUEST FOR AUTHORIZATION TO CONSTRUCT A 38 STORY OFFICE BUILDING AT 444 MARKET STREET WITH A MAXIMUM LENGTH OF 172 FEET 8 INCHES WHERE THIS DIMENSION WOULD OTHERWISE BE LIMITED TO 170 FEET FOR THAT PART OF THE BUILDING HIGHER THAN 150 FEET.

(CONTINUED FROM MEETING OF FEBRUARY 27, 1975).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), noted that the Commission had reviewed the proposed project in considerable detail during the meeting of February 27. He stated that the diagonal dimension, which exceeds by 2 feet 8 inches the maximum allowable in the 700-I Height and Bulk district, would permit a building which meets the requirement of Section 271 and 303 of the City Planning Code in that a building of distinctly better design, in both a public and private sense, would be possible; and, as a result, the principles and policies of the Master Plan and the intent of the bulk limit would be carried out. It was therefore the recommendation of the Director of Planning that the Conditional Use Application be approved subject to eight specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. Mr. Steele then summarized the conditions which were contained in the draft resolution.

Commissioner Porter, referring to Condition No. 3 of the draft resolution, asked what role the Department of City Planning would play in selection of the materials to be used for building's facade. Mr. Steele replied that the condition provided that the building should be light in color and that the material finally selected by the applicant should be subject to approval by the Department of City Planning.

Commissioner Ritchie noted that Condition No. 7 of the draft resolution specified that final plans for the proposed building should be developed in consultation with the Department of City Planning with special attention

being given to visual relief of the windowless north facade of the building in a matter compatible with the overall building design. He stated that he had expressed concern about the windowless aluminum wall at the last meeting of the Commission; but as he had thought more about the matter, he had concluded that the treatment proposed by the applicant, which would include some vertical lines, would be acceptable; and he feared that changes which might be proposed by the staff of the Department of City Planning might result in a less attractive wall.

Dean L. Macris, Director of Planning, conceded that the wall might be perfectly acceptable as proposed; but he indicated that the staff of the Department had not had sufficient time to study the matter in detail. He emphasized, however, that the staff was not suggesting that changes must be made in the design of the wall.

Commissioner Fleishhacker stated that he regarded the term "light in color" to be quite vague insofar as different people can look at the same building and have varying opinions as to whether the building is light or dark in color; and he asked if the applicant could comment on the probable color of the proposed building. Chuck Bassett, a partner in the firm of Skidmore Owings and Merrill, architects for the applicant, stated that the building would have an aluminum color similar to that of the Metropolitan Building; but he noted that aluminum changes color almost instantaneously as the quality of the light or the vantage point of the viewer changes.

No one else was present in the audience to be heard on this matter.

President Newman asked if the conditions which had been recommended by the staff of the Department of City Planning would be acceptable to the applicant. Henry Barak, Vice President of the Continental Development Corporation, replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7301 and that the application be approved subject to the conditions which had been recommended by the staff of the Department of City Planning.

DR75.3 - DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION FOR AN OFFICE BUILDING TO BE LOCATED AT 444 MARKET STREET UNDER THE COMMISSION'S POLICY OF CONDUCTING DISCRETIONARY REVIEWS OF NEW BUILDINGS PROPOSED IN THE VICINITY OF MARKET STREET.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that this matter had been brought before the Commission for discretionary review pursuant to Resolution No. 6111 which was adopted by the Commission in June, 1967, calling for discretionary review of all new and enlarged buildings along Market Street within the area undergoing

extensive public improvements. He stated that the architects for the developer had met extensively with the staff of the Department of City Planning; and the staff was of the opinion that the design of the building would be consistent with the principles and policies of the Urban Design Plan and the Master Plan. Therefore, it was the recommendation of the Director of Planning that the project be approved subject to the same conditions which had been included in Resolution No. 7301 which had just been adopted by the Commission to grant Conditional Use Authorization for the project.

President Newman stated that it could be assumed that the conditions were acceptable to the applicant since no objection had been raised when they had been included in the resolution granting the Conditional Use Authorization.

Commissioner Ritchie felt that the proposed building could be one of the most stunning buildings on the west coast; and he asked when construction on the project was expected to start.

Henry Barak, Vice President of Continental Development Corporation, replied that working drawings for the building are in process. He anticipated that demolition would commence in approximately 60 days and that construction work would start shortly thereafter.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that Resolution No. 7302 be adopted and that the building permit application be approved subject to eight specific conditions which were identical to those which were included in Resolution No. 7301 which had granted Conditional Use Authorization for the project.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

APR 23 1975

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~~CITY PLANNING COMMISSION~~

~~Minutes of the Regular Meeting held Thursday, March 13, 1975.~~

The City Planning Commission met pursuant to notice on Thursday, March 13, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Thomas J. Mellon, and John Ritchie, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and John D. Crowley and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Peter Svirsky, Executive Assistant to the Director; Robert Passmore, Planner V (Zoning); Sidney Shaw, Planner IV; Edward Michael, Planner III; Jonathan Twitchell, Transit Planner III; Carl Ness, Planner II; Mark Winogrand, Planner II; Stanley Roberson, Civil Engineering Assistant I; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the minutes of the meetings of February 6 and 20, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded the Neighborhood Plans Committee (Commissioners Rueda, Fleishhacker, Ritchie) of a meeting scheduled next Thursday, March 20, at 1:15 p.m.

The Director informed the Commission that the Board of Supervisors, meeting on Monday, had approved the Community Development Program Block Grant Application.

The Director introduced Jonathan Twitchell, who has just been appointed as a Transit Planner III.

MARCH 13, 1975

R75.12 - TRANSFER OF PROPERTY TO GOLDEN GATE NATIONAL RECREATION AREA: FORT FUNSTON, OCEAN BEACH AND SUTRO HEIGHTS PARK.

Sidney Shaw, Planner IV, reported on this matter as follows:

"The proposed transfer of City-owned lands to the Golden Gate National Recreation Area (GGNRA) has been referred by the Director of Property for review as to conformity with the Master Plan.

"On December 5, 1974, the City Planning Commission acted on the transfer of portions of Lincoln Park and Fort Miley to the GGNRA. That transfer was determined to be in conformity with the Master Plan.

"The transfer proposed in the present referral represents a further step in the process of turning over City-owned recreational lands to the GGNRA. The subject lands are all shown as 'public recreation and open space' in the Recreation and Open Space Element of the Master Plan. Establishment of these lands as part of the Golden Gate National Recreational Area, approved by the San Francisco voters through a Charter amendment, effectively assures the continuation of the recreation and open space use."

Dean L. Macris, Director of Planning, recommended that the proposed transfer of property be approved as in conformity with the Master Plan.

Commissioner Mellon inquired about the strength of the commitment which had been obtained from the Federal government for maintenance of the properties to be transferred. Mr. Shaw replied that the Federal government had at first been willing to offer only a weak commitment to maintain the properties transferred to it by the City; however, the language had been strengthened considerably in the final agreement which had been entered into by the City and the Federal government. He believed that the Federal government's commitment to maintain the transferred areas was sufficient to relieve the City of any responsibility for maintenance.

Commissioner Fleishhacker asked if the maintenance of Ocean Beach, which had always been a problem, would now be the responsibility of the Federal government. Mr. Shaw replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Mellon, and carried unanimously that the Director of Planning be authorized to report that the transfer of a portion of Fort Funston, Ocean Beach and Sutro Heights Park, as

shown on the two-page map entitled "Portion of Golden Gate National Recreation Area", prepared by the Bureau of Engineering (Department of Public Works) in January, 1975, is in conformity with the Master Plan.

LM75.1 - CONSIDERATION OF A PROPOSAL TO DESIGNATE LOTTA'S FOUNTAIN, LOCATED ON A PEDESTRIAN ISLAND AT THE NORTHEAST CORNER OF KEARNY AND MARKET STREETS, AS A LANDMARK.

Edward Michael, Planner III, reviewed the history of the fountain, noting that the one hundredth anniversary of the dedication of the fountain will be observed on September 9 of this year. He indicated that the Landmarks Preservation Advisory Board had initiated consideration of the proposed designation when Bernard Averbuch of the Market Street Development Project had requested that the fountain be placed on the National Register of Historic Places which is maintained by the United States Department of the Interior.

Commissioner Ritchie observed that it is not possible to drink from the fountain. Mr. Michael replied that tin cups were originally affixed to the fountain for drinking purposes but have long since been removed; and he indicated that a new drinking fountain will be installed near-by.

Bernard Averbuch, manager of the Market Street Development Project, stated that he had requested that the fountain be placed on the National Register of Historic Places in order to promote Market Street and he hoped that the designation of the fountain as a Landmark could be used as a reason for holding another ceremony at the fountain on the occasion of its one hundredth anniversary. Vice-President Porter stated that she could think of no monument in San Francisco more worthy of being designated as a Landmark than Lotta's Fountain.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7303 be adopted to approve the proposal to designate Lotta's Fountain as a Landmark.

PRESENTATION OF PRELIMINARY COASTAL PLAN BY EXECUTIVE DIRECTOR OF NORTH CENTRAL COAST REGIONAL COMMISSION.

Michael Fischer, Executive Director of the North Central Coast Regional Commission, summarized the aspects of the plan which pertained to San Francisco.

Dean L. Macris, Director of Planning, stated that a public hearing on the Coastal Plan would be held in the Chambers of the Board of Supervisors on May 22nd; and he indicated that the staff of the

Department of City Planning would study the plan and would prepare and review with the Commission a statement which might be presented at that hearing.

Commissioner Ritchie, noting that the plan stated that the northerly block of the old Playland-at-the-Beach site should be acquired for addition to the Golden Gate National Recreation Area, asked why acquisition of the entire Playland-at-the-Beach site had not been recommended. Mr. Fischer replied that the remainder of the site had been designated for high density recreational use, the only portion of the coastline within the North Central Coast Regional Commission's jurisdiction to be so designated. Therefore, to have recommended that that property be included in the Golden Gate National Recreation Area would have resulted in the waste of a potential resource.

Vice President Porter, noted that the plan specified that no new development to increased height or density should be permitted in blocks in the Sunset and Richmond Districts where fewer than one-third of the lots have been developed to higher levels than the established community character. She also observed that the plan recommended reduction of the 100-foot height district on Sloat Boulevard to 40 feet. She then remarked that she did not feel that it should be the job of the North Central Coast Regional Commission to tell San Francisco how to zone its property.

Commissioner Fleishhacker agreed, indicating that he did not see any relationship between zoning in the Sunset and Richmond Districts and coastal preservation.

Mr. Fischer stated that his Commission wished to avoid the mistake made by Miami Beach and Los Angeles where high rise buildings have formed a wall along the waterfront.

Commissioner Ritchie remarked that Chapter 6 of the plan, dealing with acquisitions, gave lowest priority to acquisition of the northerly block of the old Playland-at-the-Beach site because of the "imposing" price of that property; and, as a result, he gathered that acquisition of that property was a remote possibility. However, as long as the property is designated for acquisition, the owner of the property will probably be unable to obtain financing for any development of the site; and, in view of the fact that the property owner would have to continue paying taxes on the property, he felt that the matter was extremely unfair. Under the circumstances, he felt that the owner of the property might sue the North Central Coast Regional Commission for clarification of the matter.

Mr. Fischer stated that he did not agree that the owner of the property would have difficulty obtaining financing for the development of the site; and, to the extent that the owner of the property could force a public agency to decide whether the property should be purchased or not by formulating a proposal to develop the property, he considered the owner of the property to be "in the driver's seat". In conclusion, he stated that the list of property scheduled for acquisition will probably be modified by additions and deletions when the plan is finally adopted.

Commissioner Fleishhacker remarked that page 38 of the report contained a statement to the effect that a major problem of the Sunset District is the loss of moderate-income family housing; and he noted that the statement had been substantiated with reference to a quote from a publication which had been prepared by the Sunset-Parkside Education and Action Committee (SPEAK). As far as he was concerned, SPEAK was entitled to its own opinion although it was an opinion which he did not share; but he did not feel that the North Central Coast Regional Commission should be getting involved in such issues. The responsibility of the North Central Coast Regional Commission is the preservation of the coastline; and local housing and zoning policies are a totally different matter.

Commissioner Fleishhacker noted that San Francisco was one of three cities in the state which had requested and received an urban exclusion from the California Coastal Zone Conservation Commission; and it seemed to him that the granting of that exception could be interpreted as a recognition of the fact that San Francisco is unique and that it should be exempted from some of the broader policies of the Coastal Plan.

The Director stated that the staff of the Department of City Planning would review the proposed plan and prepare comments to be reviewed with the Commission prior to being presented at the California Coastal Zone Conservation Commission's public hearing to be held on May 22.

At 3:35 p.m. Vice President Porter announced a 5 minute recess. The Commission reconvened at 3:40 p.m. and proceeded with hearing of the remainder of the agenda.

STATUS REPORT ON CITY-WIDE COMPREHENSIVE RESIDENTIAL ZONING STUDY.

Robert Passmore, Planner V-(Zoning), summarized the written report which had been distributed to members of the Commission during the meeting of March 6, emphasizing that the report contained objectives and policies which would be used by the staff of the Department of City Planning during the remainder of the Residential

Zoning Study. He stated that the objectives and policies had resulted from a comparison of concerns cited by individuals and interest groups in answer to questionnaires distributed as part of the study and in meetings with staff with existing policies of the City's Comprehensive Plan. The conclusion of the written report read as follows:

"In many cases the zoning controls alone cannot fully meet the preceding objectives and policies, and other means of implementation will also be required. Where zoning controls cannot be developed to implement all aspects of the policies, the proposed controls ought to be designed so as not to impede other means of implementation.

"It is expected that there will be conflicts in some of the resulting controls, either in general application or with regard to desires in individual neighborhoods.

"Citizen participation in resolving these conflicts will be sought, and the zoning provisions will seek ways to continue and expand this participation during the lifetime of the proposed framework of standards and districts.

"Existing policies of the City's Master Plan have not in all cases been found to be adequate guidelines for responding to current issues in this study or to the concerns expressed by citizens about residential zoning. The objectives and policies outlined in this report, while not conflicting with the existing Master Plan, do go beyond the scope of present Master Plan policies. It appears that as the Residential Zoning Study progresses there will be a necessity for some modifications or refinements of the Residence Element of the Master Plan as it was adopted in 1971. Such modifications or refinements would reflect changed conditions in the city, changes in the attitudes and desires of San Francisco citizens, and a greater depth of analysis of certain residence issues by the present zoning study.

"The objectives and policies expressed in this report will provide the basic framework during the remainder of the study. The next phase will concentrate upon development of possible districts and regulations in outline form for review and consideration of alternatives. The mapping and drafting of regulations will proceed, gradually becoming more precise through new surveys and testing of consequences. Throughout the study a citywide view and a neighborhood-oriented view will be maintained by the staff, as well as a realistic view of the economics of building and maintaining

housing. The work program of the study is geared to a presentation of final proposals to the City Planning Commission in May 1976, with earlier presentations of zoning concepts and outline proposals as they are being developed."

Commissioner Porter stated that she had been disappointed to read that only 20 percent of the questionnaires had been returned.

Mr. Passmore stated that more than 2,000 questionnaires had been mailed and distributed at meetings; and he indicated that the return of 400 questionnaires was higher than had been anticipated by the staff, particularly since the questionnaire was somewhat lengthy. Dean L. Macris, Director of Planning, confirmed that a response greater than 10 percent from such a survey is generally considered to be good.

Commissioner Ritchie remarked that most of the policies and objectives which had been proposed seemed to be reasonable; but he questioned the rationale behind Objective 1, Policy 3 which read as follows: "Provide for a mixture of population groups in San Francisco." He stated that it seemed to him that San Francisco has already achieved that status.

Mr. Passmore replied that the staff felt that the majority of San Francisco residents like the diversity which a mixture of population groups provides; and the purpose of the policy was to insure that no planning controls would be proposed which would prevent such a mixture of population groups.

Commissioner Ritchie then referred to Objective 3, Policy 2, which read as follows: "Distribute low-and moderate-income housing throughout the City." He remarked that economics are usually the deciding factor with regard to the construction of low and moderate housing; and he questioned whether it would ever be possible to locate low income housing in St. Francis Wood or other expensive neighborhoods in the City.

Mr. Passmore replied that this policy was contained in the Residence Element of the Comprehensive Plan, and that the staff hoped to find zoning techniques that would be helpful in implementing the policy. He noted that other cities have required that a certain percentage of dwelling units in new housing developments be reserved for occupants with a certain income range.

Commissioner Ritchie asked if any low or moderate income housing had been constructed in R-1 districts in San Francisco. Mr. Passmore replied that public housing had been constructed on the edge of an R-1 district in the Sunset along the Great Highway.

The Director acknowledged that the policy might be a difficult one to achieve; but he felt that the Commission should do whatever is possible to implement the policy whenever an opportunity arises.

Mr. Passmore observed that the housing authority is already reducing the size of some of its projects; and its future programs call for scattered-site and rent-subsidized housing.

Commissioner Fleishhacker focused attention on Objective 1, Policy 2, which read as follows: "Allow only that population growth which does not overburden municipal services or detract from urban amenities." He regarded that policy as somewhat subjective in nature; and he felt that municipal services ought to keep pace with growth of the population. With regard to Objective 2, Policy 1, which called for the protection and maintenance of residential structures worthy of retention, he questioned who would determine the "worthiness" of structures in question. He then referred to Objective 7, Policy 1, which read as follows: "Permit small, pedestrian-oriented retail sales or personal service establishments which meet the frequent and recurring needs of residents of the immediate neighborhood, provided the location of such uses is justified on the basis of topography, available public transportation, housing considerations, and absence of alternative locations in commercial districts, and other pertinent factors." He stated that the policy seemed to have merit; but he wondered what the Commission could do to encourage private businessmen to provide such services in residential neighborhoods. Mr. Passmore replied that the policy was oriented toward the preservation of certain nonconforming uses in residential districts and the possible future establishment of services catering to the needs of residents. He acknowledged, however, that even though zoning might permit such businesses, economics might be the controlling factor.

Commissioner Fleishhacker noted that Objective 7, Policy 3, indicated that the development or expansion of institutional uses should be permitted if there is a demonstrated neighborhood or "community" need for such development or expansion; and he remarked that the word "community", which also appears in the City Planning Code in a similar context, should be defined since some people have defined it in reference to the City as a whole while others have defined it in terms of a few square blocks immediately adjacent to a project under consideration.

Mr. Passmore stated that the staff had intended that the word "community" be defined in City-wide terms.

Vice President Porter, noting that Objective 2, Policy 6, specified that natural areas should be protected and that an adequate amount of public open space should be guaranteed in residential neighborhoods, remarked that she had received many letters from neighborhood groups and organizations requesting that vacant lots be acquired to provide additional open space in their neighborhoods.

Commissioner Fleishhacker observed that the real boundaries of San Francisco encompass a large portion of the Bay; and, as a result, the city limits of San Francisco probably contain more open space than developed land.

Commissioner Mellon pointed out that San Francisco also owns more than 22,000 acres of virgin land on the peninsula; and he felt that some consideration should be given to opening some of that land to the public. He stated that East Bay Mud had opened a considerable part of its watershed holdings to the public while still protecting Oakland's water supply.

The Director stated that he had discussed that matter with the staff of the Public Utilities Commission. While certain problems would have to be resolved before the peninsula watershed land could be opened for public use, he felt that the point which had been made by Commissioner Mellon was well taken.

John Bardis, representing the Inner Sunset Action Committee (ISAC), stated that community organizations were supposed to have an input into the City-wide Residential Zoning Study; and, under the circumstances, he felt that the staff of the Department of City Planning should have published a statement of its understanding of the concerns of the various neighborhood organizations before proceeding to publish objectives and policies which were supposed to be responsive to neighborhood concerns.

Mr. Passmore stated that the staff is preparing issue papers for each of the 15 planning areas of the City which will be published by the end of April. It was originally intended that the issue papers would be published simultaneously with the report on objectives and policies; but the schedule had not worked out as planned.

Commissioner Ritchie asked if the objectives and policies which had been formulated by the staff would be given to neighborhood organizations for their comments. Mr. Passmore replied in the affirmative, indicating that the statement of objectives and policies would be distributed to more than 200 neighborhood organizations.

John Kirkpatrick, a resident of Pacific Heights, felt that the objectives and policies which had been drafted by the staff offered a good starting point for citizen participation since neighborhood organizations would be encouraged to respond to the objectives and policies with constructive comments and suggestions.

The Director stated that the Commission was not being requested to take any action on the proposed objectives and policies at the present time.

CURRENT MATTERS CONTINUED

Peter Svirsky, Executive Assistant to the Director, presented and summarized a report entitled "Design Review Processes", dated March 13, 1975, relating to San Francisco and other cities throughout the country with particular attention to special design review boards. The report, which had been prepared in response to a request by Commissioner Ritchie, concluded with the following paragraph:

"Unless the City is prepared to make major changes in its existing review processes and to provide significant new design review staffing, it would seem that the recommendations of the Urban Design Study are still valid: existing processes should be strengthened and further rationalized. It is apparent that there are overlaps in some of the processes now being used, especially as between the more traditional processes and the newly required system of environmental review. The goal should be to simplify and coordinate what is being done to the maximum extent possible, meanwhile pursuing studies that will improve the concrete standards of the City Planning Code and other controlling plans and legislation. The staff of the Department is confident that with such modifications the existing processes in San Francisco can cover the complete field of design review in an effective manner."

Vice President Porter remarked that the Department of City Planning does exercise a great deal of design review; and she stated that she had even received complaints from architects on a number of occasions relative to the degree of detail staff's review of specific projects.

Commissioner Mellon, a former member of the Police Commission, stated that other jurisdictions such as New York City had established police review boards with disastrous results; and he felt that it would be equally unwise for the Commission to recommend that a design review board be established in San Francisco. Such a board would have to be superimposed on the City Planning Commission; and, in ap-

proving the establishment of such a board, the Commission would be relinquishing authority in an area with which it is vitally concerned. While he recognized that Commissioner Ritchie was concerned about the aesthetic appearance of new buildings which are constructed in San Francisco, he remarked that design is a very subjective issue. In conclusion, he asked if he were correct in his understanding that no major city in the United States has established a design review board.

Mr. Svirsky replied that no major city in the United States has established a design review board with city-wide powers. However, some major cities have established design review boards for special purposes with jurisdiction in special areas. To some extent, San Francisco has moved in a similar direction, as in the case of the Commission's policy of conducting discretionary reviews of all new buildings proposed in the vicinity of Market Street where a considerable amount of money is being spent by the City for beautification of the street right-of-way.

Dean L. Macris, Director of Planning, stated that he had made telephone calls to Minneapolis and Seattle and had confirmed that the jurisdiction of design review boards in those cities is limited to special districts. With regard to the report which had been prepared by the staff, he felt that it was extremely important to note that approximately 500 applications for new buildings are approved in San Francisco each year as well as 2,000 applications for significant alterations to existing buildings. Under the circumstances, if a design review board were to be established, it would face a tremendous work-load. The magnitude of that work-load could best be understood in comparison to the time which the staff and the Commission presently spend on processing conditional use applications which are being received at the rate of approximately 100 per year.

Commissioner Fleishhacker remarked that San Francisco has accomplished a great deal in the area of design review; and, even if a design review board were to be established, he did not know how its decisions could be policed. While he was quite sympathetic with the concerns which had been mentioned by Commissioner Ritchie when he had requested information on design controls in other cities, he felt that the City Planning Commission had been extremely effective in achieving good design through persuasion; and he felt that the best course of action would be to continue the present pattern, improving design review procedures as the design objectives of the Commission are clarified.

Commissioner Ritchie stated that he was pleased with the thoroughness of the report which had been prepared by the staff of the Department of City Planning. When he had requested that the information be made available, he had been aware that the City Planning Commission has made considerable progress in the area of design review and control, particularly in cases where major new developments are being proposed. However, most major projects are designed by competent architects; and his basic concern in raising the question of design control had been related to a "creeping advance of faceless residential structures which appeared to be designed by statisticians and computers rather than by architects". The report which had been prepared by the staff had pointed out that California is unique in that approximately 1,000 "building designers" have been licensed and are presently designing residential buildings in the state; and the result of their work is evident in many of San Francisco's residential neighborhoods. He noted that representatives of a number of neighborhoods had come before the Commission to express concern about the design of new buildings being proposed for their areas; and he stated that he had received a number of letters urging that some type of design control be established to protect established residential neighborhoods from "faceless" new buildings which are out of keeping with the established pattern of development. If the City Planning Commission could assume responsibility for preventing the construction of such buildings, part of the objective which he sought would be achieved; however, he felt that an architectural review board would provide more professional judgment in such matters than the City Planning Commission since the members of such a board would have an architectural background.

The Director stated that the staff had in no way intended to deny that a problem exists relative to the design of new buildings in residential districts. However, being aware that a problem does exist, the next step is to determine how to deal with it. The staff felt that a recommendation for establishment of a design review board would be premature at the present time; and it seemed preferable to deal with the problem through the city-wide comprehensive Residential Zoning Study.

Commissioner Mellon remarked that the city has many fine designers who are not architects but who exhibit particular skill in the design of building exteriors.

Vice President Porter felt that all members of the Commission were in agreement that some design controls are needed; but she believed that a majority of the members of the Commission were of the opinion that such controls should be exercised by the City Planning Commission and not by a new architectural review board.

Commissioner Ritchie expressed his appreciation to the staff for the report which had been prepared and indicated that he wished to give the matter further thought.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, March 20, 1975.

The City Planning Commission met pursuant to notice on Thursday, March 20, 1975, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Selina Bendix, Environmental Review Officer; Lucian Blazej, Planner IV; Wayne Rieke, Planner IV (Zoning); Alec Bash, City Planning Coordinator; Wilbert Hardee, Planner III; Alan Lubliner, Planner III; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that he had attended a neighborhood meeting in the Outer Mission district the previous evening. He also indicated that he will be meeting with the Coalition of San Francisco Neighborhoods, the Sunset-Parkside Education and Action Committee (SPEAK), and the Downtown Association during the next week.

The Director distributed copies of a draft resolution which would authorize him and President Newman to designate the individuals who will represent the Commission and the Department of City Planning at the annual conference of the American Society of Planning Officials to be held in Vancouver, British Columbia, from April 12 through 17.

It was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7304.

The Director then continued his report, as follows:

"As was reported to you in November of last year, and again exactly one month ago, the Department will soon be initiating a citywide parking study, in cooperation with the Department of Public Works.

"The Metropolitan Transportation Commission (MTC) is preparing a parking management plan on a regional basis, but is contracting with San Francisco, Oakland and San Jose to produce their own plans for their specific areas.

"The objectives of the San Francisco study will be:

"1. To consider and attempt to minimize the effects of new parking facilities on area wide vehicle miles traveled, and to assure that the motor vehicle traffic associated with these facilities does not cause or exacerbate a violation of air quality standards.

"2. To develop a citywide parking plan that will implement and make more specific the objectives and policies of the Master Plan.

"We have before you a resolution for your consideration, which would authorize and direct the Director, in conjunction with the Director of Public Works, to execute and file a contract agreement with MTC for the parking study, and receive funds pursuant to that contract. The resolution would further request that the Board of Supervisors take similar action."

The draft resolution contained the following resolve:

"THEREFORE BE IT RESOLVED, By the City Planning Commission of the City and County of San Francisco:

- "1. That the Director of Planning, is hereby authorized by this Commission to execute and to file a contract agreement for the Department of City Planning between the Metropolitan Transportation Commission and the City and County of San Francisco, for the purpose of conducting a parking management study and developing a citywide parking plan;
- "2. That the Director of Planning is hereby authorized to receive funds from the Metropolitan Transportation Commission pursuant to said contract;
- "3. That the Director of Planning is hereby authorized to provide all documentation as may be required by the Metropolitan Transportation Commission relating to its performance of services under said contract; and
- "4. That the Board of Supervisors of the City and County of San Francisco is hereby requested to approve the execution of said contract for conduct of a parking management study and development of a citywide parking plan, to authorize the Director of Planning, in conjunction with the Director of Public Works, to execute all necessary contract documents, and to authorize the Director of Planning to receive funds pursuant to said contract."

Commissioner Mellon asked if all of the funding for the study would be made available by the Metropolitan Transportation Commission. The Director replied in the affirmative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7305.

The Director, noting that the San Francisco Planning and Urban Renewal Association (SPUR) had held an all-day conference on Wednesday for discussion of its report on the "Impact of Intensive High-rise Development in San Francisco", distributed copies of the summary of the report and copies of the remarks which he had made at the conference.

President Newman felt that the Commission would be obligated to respond to the report in some manner, possibly by undertaking further study of the issue or by establishing a citizen's advisory committee to work with the Commission and the Department of City Planning in the future. He asked the members of the Commission to read the report and to be prepared to discuss at next week's meeting what the nature of the Commission's response to the report should be.

Commissioner Finn remarked that the report which had been distributed to members of the Commission was only a summary of a more detailed document which had been prepared; and he felt that he would need more than one week to study the original report.

President Newman stated that he was not suggesting that the Commission should formulate a specific response to the report at its next meeting but only that the Commission should discuss what type of followup would be appropriate.

Commissioner Ritchie informed the Commission that a number of large trees in front of the old Federal Building on Fulton Street had been uprooted earlier in the day; and, in view of the fact that the Commission is engaged in a constant effort to have new trees planted, he felt that the Commission should be consulted when existing trees are to be removed.

Commissioner Mellon explained that the trees had been removed to make it possible to construct the new United Nations Plaza; and he indicated that new trees will be planted in a symmetrical way when the plaza is completed.

Commissioner Ritchie stated that he was still of the opinion that the Commission should be made aware of tree removal projects and that it should have an opportunity to review plans for replacement of the trees before they are removed.

President Newman requested that the landscaping plan for the new United Nations Plaza be brought before the Commission for review at an early date.

EE74.158 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM NO. 2, SOUTHEAST DRY WEATHER EXPANSION AND INTERIM BAY OUTFALL. (CONTINUED FROM ENVIRONMENTAL REVIEW OFFICER'S HEARING OF MARCH 8, 1975).

President Newman stated that he had received correspondence from representatives of the community claiming that the Department of City Planning had been totally derelict in involving residents and businessmen in the neighborhood in the planning process for the expansion of the Southeast Sewage Treatment Plant; and he asked the Director to comment on that accusation.

Dean L. Macris, Director of Planning, explained that the Department of Public Works has responsibility for planning the proposed facility; and, as a result, that department is the one which should have provided for citizen participation in the planning process. The Department of City Planning only has responsibility for preparation of the Environmental Impact Report; and the purpose of the public hearing which was being conducted was to obtain citizen input into that report.

Robert Levy, City Engineer, described the proposed project and explained the schedule which had been established by Federal and State law for acquisition of land and for construction and completion of the new sewage treatment facilities. Subsequently, he responded to questions raised by members of the Commission.

Donald Dahlke, staff Engineer with the State Water Quality Board, confirmed the deadlines which had been cited by Mr. Levy.

Richard Komatsu, landscape architect for the proposed project, showed slides of conceptual drawings which he had prepared and commented on measures which might be taken to mitigate the impact of the facility on the neighborhood.

Selina Bendix, Environmental Review Officer, summarized the Environmental Impact Report. At the conclusion of her presentation, she called attention to a letter which had been received from Mark Buell, Director of the Mayor's Office of Economic Development, stating that the Hunters Point Naval Shipyard could not be considered as an alternate site for the proposed facility since the facility could not physically fit into any available land at the shipyard and since the maximum duration of leases being considered by the Navy is twenty years.

Dr. Bendix then called on Wallace Wortman, Director of Property for the City and County of San Francisco, to comment upon the feasibility of expanding the sewage treatment facility at North Point as an alternative to expansion of the Southeast Sewage Treatment Plant. Mr. Wortman stated that

property in the North Point area has a land value of approximately \$30.00 per square foot; and, if sufficient land were to be accumulated in that area to accommodate a facility as large as the one being proposed, substantial improvements, housing a large number of residents, would have to be acquired and demolished.

The Commission then received comments from members of the audience including Preston E. Cook, Field Representative to State Senator Milton Marks; Ken Carpenter, Citizen Participation Coordinator for Bayview Hunters Point Model Cities Agency; Aaron Craig, 1270 Underwood Street; Ed Mitchell, 993 Tennessee Street; Mrs. Myrtle Spruell, 1061 Hollister Avenue; Jack Tufts, representing the San Francisco Industry and Merchants Association; Harold D. Madison, President of the Shafter Avenue Community Club; Paul Berrigan, a member of the Mayor's Citizens Advisory Committee on the Wastewater Management Plan; Joel Shawn, Attorney for ABC Auto Parts; Ellis H. Finley, 5187 Third Street; and Nick Circosta, representing the Circosta Iron and Metal Company, which is located at 1801 Evans Avenue.

Dr. Bendix advised the Commission that it could not legally act on certification of the Environmental Impact Report during the present meeting because the State Environmental Clearing House, confronted with a computer breakdown in Sacramento, had been unable to provide certain information which must be included in the Environmental Impact Report before it can be certified as complete.

President Newman observed that the Commission was not legally bound to act on certification of the Environmental Impact Report prior to March 31 in any case; and, in view of the fact that the proposed project had evidently not been thoroughly explained to residents of the neighborhood, it was the consensus of the Commission that a neighborhood meeting should be arranged by the Department of Public Works and the Department of City Planning prior to the Commission's meeting next Thursday so that the project could be explained and discussed in detail. Therefore, he requested Mr. Levy and the Director of Planning to schedule such a meeting and to inform interested individuals and groups of the time and place of the meeting.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that this matter be taken under advisement until the Commission's next regular meeting on March 27, at 3:00 p.m. in Room 282, City Hall.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

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Minutes of the Regular Meeting held Thursday, March 27, 1975.

The City Planning Commission met pursuant to notice on Thursday, March 27, 1975, at 100 Larkin Street at 1:00 p.m.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); William Duchek, Planner III; Alan Lubliner, Planner III; Janis Birkeland, Planner III-Urban Design; Ralph Gigiello, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; George Rhodes represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

2:15 P.M. - Room 282, CITY HALL

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of February 27, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reminded members of the Commission that they must file a statement of economic interests with the County Clerk during the month of April.

The Director informed the Commission that the Board of Supervisors, meeting next Monday, is scheduled to hear an appeal of the Commission's disapproval of zoning changes in the Inner Sunset and an appeal of the Commission's approval of conditional use authorization for a planned unit development to be known as "Victoria Mews" on Potrero Hill.

The Director advised Commissioner Fleishhacker that the staff is researching the State's environmental laws to determine if "archaeological sites" are defined.

The Director reported that the Planning, Housing and Development Committee of the Board of Supervisors had considered the Commission's proposal for interim Downtown parking controls at its meeting on Tuesday. The matter will be before the full Board next Monday.

The Director announced that the City-wide Comprehensive Plans Committee meeting scheduled for next Thursday will be cancelled.

The Director reported that he had received a letter from Supervisor Feinstein requesting that the Commission consider using its discretionary powers to review permit applications for the development and expansion of banks and savings and loan associations in neighborhood shopping districts. He indicated that the staff is studying this matter and will be prepared to report back to the Commission in the near future. President Newman requested that a letter be sent to Supervisor Feinstein to advise her that the staff is studying the matter.

The Director, noting that Commissioner Ritchie had expressed concern about the uprooting of mature trees in front of the old Federal Building on Fulton Street and that the Commission had requested that the landscaping plan for the new United Nations Plaza be brought before it for review, called on William Duchek, Planner III, to review the landscaping plan for the new plaza. Mr. Duchek described the plan, noting that approximately 112 new trees, exclusive of those to be planted along Market Street, would be planted in the plaza to replace the 30 or 40 trees which had been removed.

Commissioner Ritchie remarked that the mature trees which had been removed should have been saved and replanted elsewhere since they were worth a great deal of money; and he was concerned about the fact that the Commission had had no opportunity to review the proposed removal of the trees before the trees were destroyed.

President Newman requested that the staff, in reviewing proposals for new landscaping or major public projects in the future, include in its report information relative to any proposed removal of existing trees; and, with that information available, the Commission could decide whether it wished to make a recommendation regarding the possibility of retaining or replanting the trees.

The District Attorney, Mr. [Name], has been advised that the result of the investigation is that the defendant is not guilty of the crime charged.

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Commissioner Porter stated that she was sympathetic to the concerns which had been expressed by Commissioner Ritchie; however, by expanding the scope of the Department's concerns, she felt that other work which should be done might have to be neglected.

The Director informed the Commission that the Budget and Governmental Efficiency Committee of the Board of Supervisors will review the Department of City Planning's proposed budget for the next fiscal year next Tuesday night, April 1, at 7:30 p.m.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

EE74.244 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR AN EIGHT FLOOR, SPLIT LEVEL, 521-SPACE PARKING GARAGE ON THE SOUTHWEST CORNER OF HOWARD AND STEUART STREETS.

Ralph Gigiello, Planner II, summarized the Environmental Impact Report and responded to questions which were raised by members of the Commission.

The Commission then received comments from Stewart Bloom, 1695 North Point Street, and Norman Rolph, representing San Francisco Tomorrow.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried 5-1 that Resolution No. 7306 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated March 27, 1975 concerning EE74.244: PARKING STRUCTURE, Howard and Steuart Streets, is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

Commissioner Fleishhacker, Newman, Porter, Ritchie, and Rueda voted "aye"; Commissioner Finn voted "no".

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

Committee on the Political Situation. The Committee on the Political Situation was established in 1947, and its task was to study the political situation in the country and to make recommendations to the Government. The Committee was composed of representatives of the various political parties and of independent members. It held several sessions and submitted a report to the Government in 1948.

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CU74.57 - SOUTHWEST CORNER OF HOWEARD AND STEUART STREETS.
REQUEST FOR AUTHORIZATION TO CONSTRUCT AN EIGHT
FLOOR, SPLIT LEVEL, 521-SPACE PARKING GARAGE:
IN A C-3-S (DOWNTOWN SUPPORT) DISTRICT.

William Duchek, Planner III, referred to land use and zoning maps to describe the subject property which has 156 feet of frontage on Howard Street and 109 feet of frontage on Steuart Street for a total area of approximately 26,447 square feet. The property is presently used as an open parking lot; and the applicant proposed to construct an eight floor, split-level parking garage with 521 parking spaces for tenants and clients of the new One Market Plaza office building. He remarked that the subject site is not readily accessible from freeway ramps; however, the property is located in a parking belt which has been designated as an appropriate place for short-term parking facilities. At the present time, the property is surrounded by light industrial uses. However, the area has a future potential for office uses; therefore, the staff was of the opinion that the proposed garage facilities should provide space which could be altered for commercial use in the future. The design which had been prepared by the applicant would provide for future commercial use of ground floor space along the Spear and Howard Streets fringes of the property. As a result of the Department of City Planning's review of the plans, the applicant had agreed to install trellises on the roof of the building with planting and to plant additional street trees. The staff was still concerned about an unarticulated concrete wall in the center of the facade of the proposed building; but the applicant had indicated that he would be willing to work further with the staff to resolve that problem.

Commissioner Fleishhacker, noting that a rendering of the proposed building indicated that the central portion of the Howard Street facade would be plain concrete, inquired about the design of the other four walls of the building. Mr. Duchek replied that the north and south walls of the building would be identical as would also be the case with the east and west walls of the building.

Commissioner Fleishhacker suggested that it might be desirable to include a condition in any resolution approving the subject application to require the applicant to embellish the south wall of the building in the future if it should be exposed by removal of the Embarcadero Freeway.

Commissioner Ritchie remarked that the Commission had been informed during the course of the public hearing on the Environmental Impact Report that the proposed building had been designed by a Mr. Roti who is an architect; however, a rendering of the building which was now on display before the Commission indicated that Mr. Roti has a parking consultant firm located in Sherman Oaks California. In

his personal opinion, the proposed structure did not appear to have much architectural input. He asked if the proposed building would be higher than the Embarcadero Freeway; and, after receiving an affirmative response, he remarked that one advantage offered by the building would be that it would block the view of the freeway. Noting that Mr. Duchek had stated that the ground floor of the building would be designed so that it could be converted for commercial use in the future, he remarked that the development of ground floor commercial space at the outset would make the building more interesting. He then asked if the landscaping indicated on the plans would actually be installed.

Mr. Duchek stated that the staff would recommend that any resolution approving the subject application contain a condition requiring that the landscaping be installed as indicated on the plans.

Commissioner Ritchie asked if the building would be light in color or if unpainted concrete was being proposed. Mr. Duchek replied that the stairwells at the corners of the building would be constructed of light colored concrete block material. Other surfaces of the building would be painted.

Commissioner Ritchie felt that the blank concrete surfaces of the proposed building should be textured in some way and not merely painted.

President Newman, remarking that the Environmental Impact Report for the proposed project had stated that no more than one-half of the parking spaces in the building would be reserved for long-term parking and that the remainder would be available for short-term parking, inquired about the rationale behind that arrangement. He also indicated that he had heard that there is a possibility that the City might construct a substantial parking garage in the vicinity of the subject property; and, if such a facility were to be constructed, he wondered what effect it might have on the proposed operation.

Mr. Duchek explained that the Master Plan specifies that the subject property is located in an area where short-term parking would be appropriate. However, as explained during the course of the public hearing on the Environmental Impact Report, the staff had encouraged the developers of One Market Plaza to reduce the number of long-term parking spaces in that building and to provide those spaces in the proposed facility which is located more distant from Market Street, which is the City's major transit thoroughfare.

The Board of Directors has the honor to acknowledge the many contributions of the members of the Board and the staff of the organization during the past year. The Board has been particularly pleased to have the participation of the members of the Board in the many projects and programs of the organization. The Board has also been pleased to have the participation of the members of the Board in the many projects and programs of the organization. The Board has also been pleased to have the participation of the members of the Board in the many projects and programs of the organization.

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R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), confirmed that there had been some discussion of the possibility that the City might construct a new garage south of Market Street. However, the garage had not yet been formally proposed; and no exact location had been selected for it. With regard to the facility which was presently under consideration, he believed that the One Market Plaza building would generate a need for at least 260 long-term parking spaces in the area.

President Newman commented on the fact that the building at One Market Plaza will have more than 1,200,000 square feet of office space; and, under the circumstances, he felt that the building might generate a need for more than one-half of the parking spaces in the proposed building on a long-term basis.

Commissioner Finn stated that he had been involved in informal discussions relating to the possibility of constructing a city-owned garage in the vicinity of the Southern Pacific Station where it would have good access to freeway ramps. If such a garage were to be constructed, he presumed that its purpose would be to serve the long-term parking needs of commuters; and, although there might be a conflict between that facility and the garage presently under consideration, he did not know how much conflict might develop.

Commissioner Porter asked if the staff of the Department of City Planning had made the decision regarding the amount of spaces to be allocated to long-term parking and short-term parking in the proposed building or if the decision had been made by the applicant. Mr. Duchek replied that the decision had been made by the staff.

Commissioner Ritchie, noting that the day may come when the number of automobiles allowed in downtown San Francisco may be decreased, asked if the floor-to-ceiling heights in the proposed building would be sufficient to allow conversion of the building for office use in the future. Mr. Duchek replied in the negative, indicating that structural beams would limit the floor-to-ceiling heights throughout the building.

Mr. Steele observed that the automobile ramps themselves would preclude use of the proposed building for purposes other than parking. However, he felt that the applicant's \$1,500,000 investment in the building could be amortized in a short time, thus allowing the building to be torn down in the future if parking demand should decrease.

Commissioner Finn requested the Secretary to read a letter which had been addressed to the Director of Planning by Curtis E. Green, General Manager of the Municipal Railway, as follows:

"This is to register our opposition to the proposal on your Commission's calendar for March 27 concerning a pro-

The first of these is the fact that the Commission has not yet received a response to its request for information regarding the activities of the various groups and individuals mentioned in the report. This is a serious matter, as the Commission is unable to carry out its duties without this information. It is therefore requested that the relevant authorities provide the necessary data as soon as possible.

The second point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The third point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The fourth point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The fifth point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The sixth point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The seventh point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

The eighth point is that the Commission has received information suggesting that there may be a connection between the activities of the groups mentioned in the report and the recent events in the region. This is a matter of great importance, and it is requested that the relevant authorities investigate this matter thoroughly and report the results to the Commission.

jected 500-car parking structure at the corner of Howard and Steuart Streets.

"In the first place it seems highly counter-productive to add downtown parking facilities at a time when it is clear that there must be a significant reduction in downtown auto use and a strengthened public transit capability. Circumstances of the present are hastening our entrance into the era of public transit. Fossil fuel supplies are limited, and the situation will probably worsen in the future.

"The need for fuel conservation is obvious, and it is essential that serious steps be taken in that direction. Federal pollution control standards in urban areas are being tightened as the adverse effects of pollution levels become increasingly evident.

"In order to respond to these new factors San Francisco's transit system must be strengthened and expanded. This City is fortunate in having a far better than average public transit system (the opinions of some pundits notwithstanding).

"An enormous amount of improvement to our operation must occur, however, if we are to effectively fill our role as an alternative to the automobile. Since subways have become almost impossibly expensive, this improvement must in large measure occur to our surface transit system.

"Congestion is one of the key impediments of good surface transit. It is impossible for a Muni vehicle to accurately and expeditiously move people through the heart of the City if its path is constantly blocked by a surfeit of left-turning autos, illegal parkers, minor accidents, and clogged streets.

"It may seem that one more parking facility doesn't matter. Perhaps not. But there are problems with this particular site. The nearest freeway access would be the Beale Street on-ramp and the Main Street off-ramp. In either case a substantial number of the vehicles using the parking facility would travel between it and the freeway via Mission Street, thereby impeding the Muni's heavy use of this street.

"Vehicles from Marin County or the northern part of San Francisco would have to traverse highly congested portions of the City in order to reach the lot and this again would add to the factors which already inhibit Muni service in North Beach, along the Embarcadero, and in the heart of the financial district.

"In the final analysis it is the trend that concerns us. It is no longer desirable in a city as dense and as congested as San Francisco to build parking structures in the downtown core. On the contrary, active steps should be taken to discourage motorists from making their way to downtown locations. We are not saying that the automobile should be banned from the downtown. We are saying that a deliberate conscious and serious effort should be made by all City agencies to shift motorists into public transit.

"Recognizing these needs, your Commission first articulated the need for a transit-first policy in its Comprehensive Plan for Transportation. In March of 1973 the Board of Supervisors adopted a transit-first ordinance for San Francisco (copy attached). More recently the Metropolitan Transportation Commission has underscored the need for a transit-first policy in its regional transportation plan. And, most significantly, the Federal government, acting through its Urban Mass Transportation Administration, has strongly advocated a major shift from automobile use, particularly in cities, to a vastly improved public transit network.

"It is with these considerations in mind that the wisdom of constructing a major new parking facility at the proposed downtown location must be evaluated.

"We urge you to recommend to your Commission that this parking structure be disapproved and further that you continue to work actively with us to expedite the auto-to-transit shift so vitally important to the future well-being of this City."

Clifton C. Brinkley, representing the developers of One Market Plaza, stated that the proposed facility would not really bring 521 new automobiles to the subject neighborhood since 200 of the spaces in the garage would be used by the Del Monte Corporation, which is already occupying an equivalent number of spaces in the area and since an additional 100 spaces in the building would be used by Southern Pacific which parks that many automobiles in the area at the present time. He emphasized that the amount of office space being provided at One Market Plaza would not be realistic unless additional parking

were available in the neighborhood. He indicated that the proposed building had been designed by one of the country's foremost parking structure designers. With regard to the issue of possible conversion of the building for office use in the future, he stated that it would be far less expensive to tear the proposed building down in the future and construct a new office building on the site than it would be to design a parking structure for possible conversion in the future.

Commissioner Fleishhacker asked if the parking spaces presently used by the Del Monte Corporation and by Southern Pacific would continue to exist after the proposed building is completed. After Mr. Brinkley had replied that he could not answer the questions, Commissioner Fleishhacker observed that the proposed building would more than likely increase the number of off-street parking spaces available in the area. He acknowledged, however, that the actual increase in the number of parking spaces would be less than 521 since 125 parking spaces presently exist on the subject site.

Mr. Brinkley noted that the site at One Market Plaza was formerly a parking lot; and he indicated that the automobiles which used to be parked on that site have since been parked in other areas on a temporary basis.

Commissioner Porter asked if the City Planning Code had required that a certain number of parking spaces be provided for the building at One Market Plaza and if the staff of the Department of City Planning had suggested that they be provided on the site presently under consideration instead of being located in the office building itself.

Mr. Steele replied that the City Planning Code would have permitted the office building at One Market Plaza to be constructed with no off-street parking spaces whatsoever. On the other hand, the Code would have limited the parking spaces proposed in that building to 7 percent of the gross floor area of the building. The developers of the building had wanted to provide a substantial number of off-street parking spaces; and the staff of the Department of City Planning had suggested that it would be better to locate most of those parking spaces in a separate building on the subject site so that there would be less conflict with transit vehicles on Market and Mission Streets.

President Newman asked if any of the parking spaces in the building at One Market Plaza will be located below grade. On receiving an affirmative response, he asked if there were any reason why some of the spaces in the proposed building could not be located below grade.

Mr. Brinkley responded that underground construction on the subject site would be extremely costly because of subsurface conditions; and he indicated that the projected costs for the project had already

risen between \$200,000 and \$300,000 since the project was initiated last July. Under the circumstances, construction of parking spaces below grade on the site would render the project financially infeasible.

Commissioner Ritchie felt that the staff of the Department of City Planning had already committed the Commission to approval of the proposed parking facility when it had implied to the developers of One Market Plaza that the parking spaces deleted from that building could be constructed on the subject site; however, he was still concerned about the appearance of the building, especially its texture and color.

Mr. Brinkley stated that the applicants would continue to work with the staff of the Department of City Planning with regard to the treatment of the exterior of the building.

President Newman asked if the staff's proposal to limit the number of long-term parking spaces in the proposed building to one-half of the number of total spaces was acceptable to the applicants. Mr. Brinkley replied that the developers had no violent objection to the requirement although they felt that it was not really justified insofar as only a few long-term spaces would be available for public use once the basic needs of Southern Pacific and the Del Monte Corporation have been met.

Commissioner Finn stated that he sympathized with the staff's interest in relocating the parking spaces needed for the office building at One Market Plaza to a site further removed from the Market and Mission Street transit corridor; but he was concerned about the fact that the proposed building would have almost twice as many parking spaces as the City Planning Code would have permitted in the office building at One Market Plaza. He thought that such a large bonus was questionable.

Commissioner Ritchie stated that he personally felt that the Commission should not intrude into the applicant's affairs by setting a limit on the number of parking spaces in the proposed building which could be used for long-term parking.

Dean L. Macris, Director of Planning, stated that the intention of the staff in proposing the limitation was not to interfere in the economics of the operation of the facility but rather to discourage long-term commuter parking in downtown San Francisco in accordance with established policies of the Commission.

Mr. Brinkley advised the Commission that the developers had wanted to build a parking structure twice the size of the one presently under consideration but had reduced the size of the building at the request of the staff of the Department of City Planning. Under the circumstances, he felt that the developers should at least be given the right to make their own allocation of spaces for long-term and short-term parking.

Commissioner Ritchie questioned how it would be possible for the staff of the Department of City Planning to enforce a requirement that no more than one-half of the parking spaces in the building be used for long-term parking. Mr. Steele replied that a certain number of spaces in the building could be reserved for parking of fleet vehicles and the fees scheduled for the remainder spaces in the building could be set at a level which would discourage long-term parking. On-site inspection would also be made by the staff to determine whether the garage was being operated in compliance with the condition.

Bill Finsterbusch, Manager of Special Projects for the Southern Pacific Land Company, stated that his firm has a conditional use permit to use another parcel of property in the area for parking; however, when the new building at One Market Plaza is completed, that conditional use authorization will lapse and the property will revert to railroad use. In addition, Southern Pacific is parking a number of vehicles on property owned by the Matson Corporation; but that property, also, is scheduled for other uses in the future. He stated that the proposed garage facility would make a great deal more money if all of the parking spaces could be rented to short-term parkers. However, he emphasized that the reason that the facility had been proposed was that it is needed for fleet vehicles owned by Southern Pacific and by other corporations which will be housed in the One Market Plaza building. If a condition were to be established by the Commission limiting the number of spaces which could be used for long-term parking, that condition would diminish the ability of the operator of the garage to respond to changes in public demand.

Norman Rolph, representing San Francisco Tomorrow, stated that he had very little to add to the comments which had been made by Mr. Green in his letter; but he wished to emphasize the importance of giving priority to transit vehicles in the downtown area.

President Newman stated that he sympathized with Mr. Rolph's "transit first" orientation. However, the Commission is also concerned about the health of the city's industries; and it was being told that Southern Pacific and the Del Monte Corporation, two of the city's major industries, need the parking which would be provided by the proposed building. Under the circumstances, he asked Mr. Rolph if he could offer any suggestion as to how the matter might be handled by the Commission.

Mr. Rolph noted that the proposed facility would provide parking spaces in excess of those needed by the two firms which had been mentioned by President Newman; and, in any case, he felt that the firms could reduce their automobile usage.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to ten specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. He then summarized the conditions which were contained in the draft resolution.

Commissioner Ritchie stated that the conditions contained in the draft resolution adequately covered the concerns which he had expressed concerning the exterior design of the building. However, he felt that the initial sentence of Condition No. 2, which specified that "no more than one-half of the available spaces shall be permanently reserved for all-day parking", was unrealistic. He remarked that no one knows what the parking needs of the tenants of the building at One Market Plaza will be; and it was apparent that the developers of that building had been led to believe that they would be allowed to construct a building on the subject site which would be intended to satisfy whatever needs might arise. He stated that there is no demand for transient parking in the subject neighborhood at the present time; and he felt that the conditions which had been recommended by the staff would improperly interfere with the economics of the operation of the proposed facility. He also noted that Condition No. 7 of the draft resolution would allow the building to have only one identifying sign; and, in view of the fact that the subject property is a corner lot with frontages on two streets, he felt that at least two signs should be permitted.

Commissioner Fleishhacker stated that he agreed with the changes which had been suggested by Commissioner Ritchie. However, he felt that Condition No. 7 should be further amended to allow the signs to project 4 feet from the building rather than 3 feet as recommended by the staff.

Commissioner Ritchie agreed and moved that Conditions No. 2 and 7 of the draft resolution be amended accordingly. The motion was seconded by Commissioner Fleishhacker.

President Newman asked if the conditions, with the changes being proposed, would be acceptable to the applicant. Mr. Brinkley replied in the affirmative.

The first thing I noticed when I stepped out of the car was the cold. It was a sharp contrast to the warm blanket I had been sitting under. I looked around and saw a few other people walking towards the building. The air was thick with the smell of exhaust and the sound of distant traffic.

I walked towards the building, my hands in my pockets. The ground was wet and reflective, mirroring the overcast sky. I felt a sense of unease as I approached the entrance. The door was slightly ajar, and I hesitated for a moment before stepping inside.

The interior was dimly lit, with a few small lights casting a soft glow. I saw a receptionist sitting at a desk, looking up at me. She had a friendly smile, but I could sense a hint of suspicion. I introduced myself and she led me to a waiting area.

I sat down on a bench, looking around the room. There were several other people waiting, some looking bored, others anxious. I felt a pang of loneliness as I sat there, waiting for my turn. The minutes seemed to stretch out before me.

A nurse called my name, and I followed her to a room. She was polite but efficient, asking me a few questions before proceeding. I felt a sense of relief as the procedure began, but also a sense of vulnerability.

The procedure was over, and I was led back to the waiting area. I saw the receptionist again, who handed me a small envelope. I opened it and found a letter from the doctor. It was a mix of good and bad news, leaving me with more questions than answers.

I walked out of the building, feeling a mix of emotions. The cold air was a welcome change from the sterile environment inside. I looked back at the building one last time before turning away, feeling a sense of closure and a new beginning.

The days following the procedure were a blur. I went back to work, but my mind was still on the events that had unfolded. I felt a sense of resilience, knowing that I had faced my fears and emerged on the other side. The journey was long, but it was worth it.

Commissioner Rueda, noting that the official policy of the Commission is to encourage short-term parking in the downtown area, stated that he felt that the Commission should be consistent and that it should include a statement in the draft resolution to the effect that short-term use of parking spaces in the proposed facility should be encouraged.

Commissioner Fleishhacker observed that short-term parking would result in more traffic movement and more pollution and transit problems. He felt that the real objective of the Commission should be to reduce the number of trips made by private automobiles to the downtown area.

Commissioner Ritchie stated that he assumed that the applicants were in the best position to decide how the garage should be operated; and he felt that it was preferable not to encumber them with the language which had been suggested by Commissioner Rueda.

Commissioner Porter stated that she agreed with Commissioner Ritchie that the applicants should have a right to run their own business. She doubted that there is any demand for short-term parking in the area at the present time; and, if such a demand should develop in the future, she assumed that parking spaces to meet that need would be made available in the building since short-term parking stalls are more profitable than long-term parking stalls.

Commissioner Finn stated that the problem with having long-term parking on the subject site was that the arrival and departure of such vehicles would coincide with peak transit hours whereas people parking on a short-term basis would generally arrive later and depart earlier in the day. He stated that he continued to favor the original language which the staff of the Department of City Planning had proposed for Condition No. 2 of the draft resolution; and he emphasized that people could still park all-day in the required short-term parking spaces if they were willing to pay the higher rate which would be charged for those spaces. In any case, if the condition should prove to be a major problem for the applicant, it could always be changed by the Commission in the future.

President Newman stated that the office building at One Market Plaza will be one of the largest office buildings in the city; and if the tenants of the building wished to lease parking spaces in the proposed garage, it would be difficult for the managers of the garage to deny such requests. On some days the leased stalls would be occupied all day long while on other days the cars would be in and out. Under the circumstances, it would be difficult to control the nature of the parking in the garage.

The Director emphasized that the staff was not attempting to establish a rate structure for the garage but that it was only trying to fulfill the Master Plan policy which specifies that parking use of the subject site should be short-term in nature only. The purpose of that Master Plan provision was to discourage commuter parking. He further remarked that it is very difficult to separate planning decisions and their economic results; and, as a case in point, he noted that a planning requirement for a reduction of parking spaces in a proposed garage from 700 spaces to 500 spaces definitely has economic consequences.

Commissioner Rueda moved that the motion be amended to add the following statement to Condition No. 2 of the draft resolution: "Short-term parking will be available." He remarked that such language would be consistent with the Commission's Master Plan policy of encouraging short-term parking rather than long-term parking in the subject neighborhood. On the other hand, it would not require the applicant to reserve any specific number of short-term parking spaces in the building.

The motion was seconded by Commissioner Fleishhacker.

Commissioner Ritchie stated that he had no objection to the language of the proposed addition to the draft resolution.

When the question was called on the amendment to the main motion, it was approved by a vote of 4-2. Commissioners Fleishhacker, Newman, Ritchie, and Rueda voted "aye"; Commissioners Finn and Porter voted "no".

Commissioner Finn then offered a substitute motion which incorporated the changes already proposed in Condition No. 7 of the draft resolution but which would restore the language originally proposed by the staff of the Department of City Planning for Condition No. 2. He felt that the language which had been recommended by the staff was well-drafted in accordance with the Master Plan policy of the Commission; and he believed that it would provide an adequate number of long-term parking spaces to meet the needs of the tenants of the building at One Market Plaza. The substitute motion failed for want of a second.

Commissioner Fleishhacker then suggested that the votes on the amendment of Conditions No. 2 and 7 be separated. Commissioner Ritchie agreed to the separation.

When the question was called on the amendment of Condition No. 2, the Commission voted 4-2 to accept the revised language. Commissioners Fleishhacker, Newman, Ritchie, and Rueda voted "aye"; Commissioners Finn and Porter voted "no".

With regard to the language of Condition No. 7, Commissioner Fleishhacker suggested that the Commission, in addition to permitting two business signs with a projection of up to 4 feet, should also allow the signs to be larger than the 10 square feet limitation which had been recommended by the staff. Commissioner Ritchie agreed and indicated that he would be willing to change his motion to incorporate language indicating that the signs should have an area "no greater than 16 square feet".

When the question was called on the motion to amend the language of Condition No. 7, the motion passed by a unanimous vote.

Commissioner Finn stated that he concurred heartily and strongly with the philosophy of the thoughts which had been expressed in the letter which had been received from Mr. Green. However, it was clear that the staff of the Department of City Planning and the developers had reached an agreement wherein the proposed parking would be located on the subject site rather than in a building which is located closer to Market Street; and, although he did take issue with a number of parking spaces which had been included in the proposed facility, he nevertheless felt that the agreement to locate the parking spaces at a greater distance from Market Street was highly desirable. He stated that he was opposed to the construction of new garages in the downtown area; but since it appeared that an agreement had been made with the developers in good faith, he indicated that he would vote in favor of the proposal to approve the subject application.

When the question was called, the Commission voted unanimously to adopt the draft resolution, as revised, as City Planning Commission Resolution No. 7307 and to approve the application subject to the conditions contained in the draft resolution, as amended.

At 4:40 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 4:50 p.m. and proceeded with hearing of the remainder of the agenda.

EE74.158 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM NO. 2, SOUTHEAST DRY WEATHER EXPANSION AND INTERIM BAY OUTFALL.
(CONTINUED FROM THE MEETING OF MARCH 20, 1975).

Dean L. Macris, Director of Planning, called on Selina Bendix, Environmental Review Officer, to report on the current status of the Environmental Impact Report. Dr. Bendix stated that the Department of City Planning had not yet received comments on the Environmental Impact Report from the State Clearinghouse; and, as a result, the Commission could not act to certify the completion of the report during

the present hearing. Although the State has set a deadline of March 31 for certification of the completeness of the report, she had been advised by the City Attorney that it was unlikely that the deadline could be enforced if the State itself was responsible for the Commission's inability to act.

Robert Levy, City Engineer, reported on a meeting which had been held in the subject neighborhood on Tuesday evening to discuss the proposed project.

Commissioner Porter, noting that a member of the staff of the State Water Quality Board was in the audience, asked him if he agreed with the City Attorney's opinion that the State deadline of March 31 will probably not be enforced since the State is responsible for the Commission's inability to act. Donald Dahlke, Staff Engineer with the State Water Quality Board, stated that he felt that the position which had been taken by the City Attorney was essentially correct.

The Commission then received and responded to comments from members of the audience, including the following individuals: Dorothy L. Cox, who read a letter which had been prepared by State Senator George R. Moscone; Lennie Gaines, 1506 McKinnon Avenue; Carol Williams, 1715 Yosemite Avenue; Mrs. Frierson, 100 Whitney Young Circle, and a member of the Bayview Hunters Point Mayor's Advisory Committee; Alex Pitcher, representing the Bayview Hunters Point Housing Assistance Office; James Hawkins, a member of the Bayview Hunters Point Mayor's Advisory Committee; Harold Madison, President of the Shafter Avenue Community Club; Jack Tufts, representing the San Francisco Industry and Merchants Association; Harold Brooks, 51 Albion; Rosco A. Geddings Jr., representing the National Association for the Advancement of Color People; Ken Carpenter, Citizen Participation Coordinator for the Bayview Hunters Point Model City Agency; Philip Lee, 980 Key Avenue; and Winabel McDowel, a resident of the Bayview district.

At the conclusion of the hearing President Newman announced that the hearing would be continued until the Commission's next meeting on April 3, 1975, at 1:00 p.m. in Room 282, City Hall.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 3, 1975.

The City Planning Commission met pursuant to notice on Thursday, April 3, 1975, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President; and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); Calvin Malone, Planner IV; Alan Billingsley, Planner II; Linda Ferbert, Planner II; Douglas Holmen, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Keith Power represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

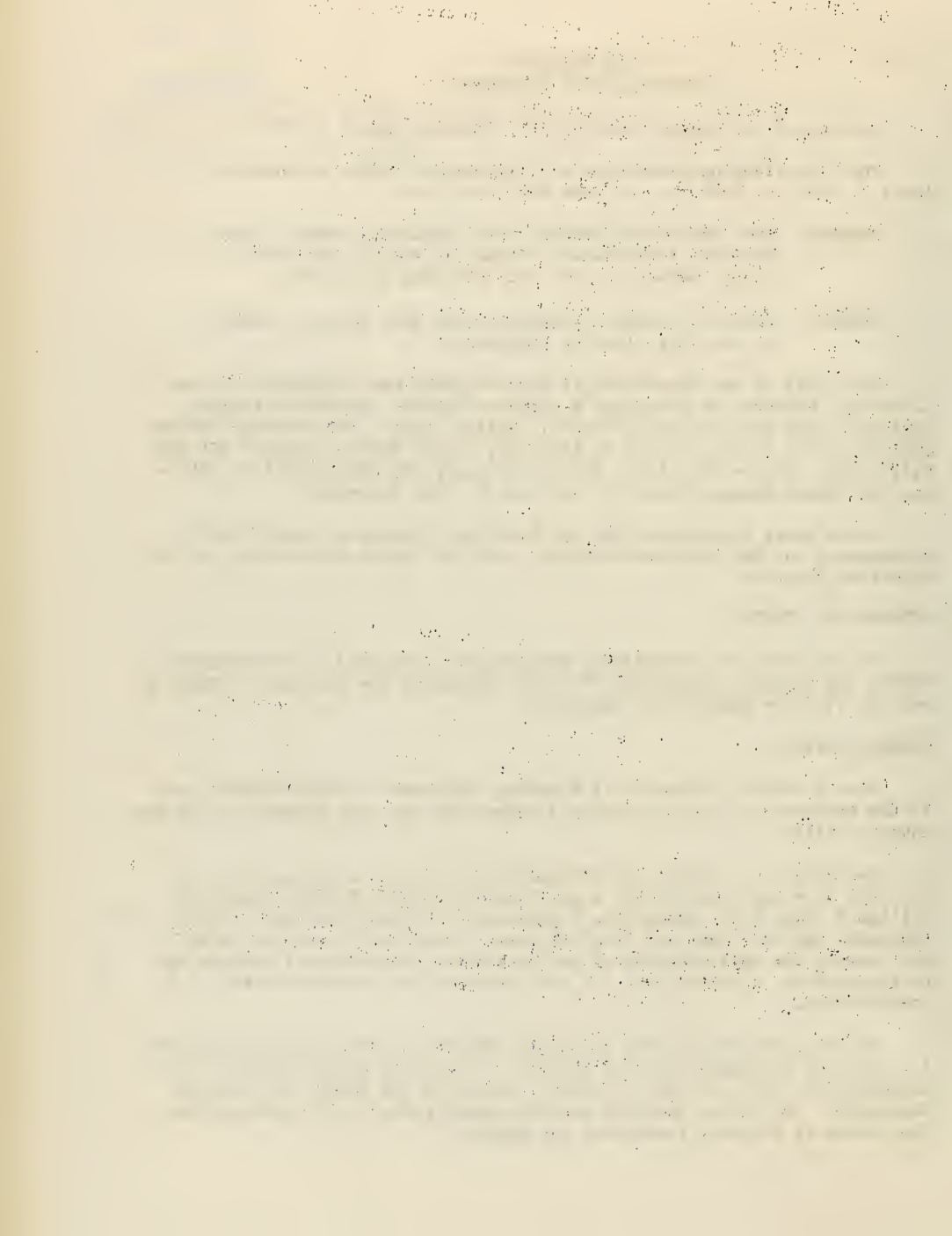
It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of March 6 and 20, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported on modifications made in the Department of City Planning's budget for the next fiscal year by the Mayor's office.

The Director informed the Commission that it and other agencies of the City have been served with a complaint in Federal District Court by William C. Haas & Co. concerning a proposed development on Russian Hill. He indicated that Mr. Haas had lost his case at the State level and is now challenging the applicability of the California Environmental Quality Act to the project, alleging that the act as applied is contrary to the U. S. Constitution.

The Director advised the Commission that a building permit application for a church at Diamond & Arbor Streets, disapproved by the Commission on September 12, 1974, had not yet been rejected by the Bureau of Building Inspection. He stated that the ten-day appeal period will commence when the Bureau of Building Inspection has acted.



The Director reported that no Committee meetings are scheduled next week.

The Director informed the Commission that the Inner Sunset Rezoning application had been approved by the Board of Supervisors on appeal.

The Director reported that the special parking control area for Downtown San Francisco which had been recommended by the Commission was approved by the Board of Supervisors at its meeting on Monday and will affect all applications filed after that date.

The Director continued his report with the following statement:

"The Department has received a letter from the Board of Supervisors transmitting a proposed ordinance relating to demolition of housing units. The essence of the ordinance, introduced by Supervisor Molinari, is a prohibition of demolition of any structure containing five or more housing units unless the vacancy rate in comparable replacement housing is at least three percent, or unless the owner relocates all occupants to comparable replacement housing.

"This proposed ordinance would be administered by the Bureau of Building Inspection of the Department of Public Works. Building Inspection would use information on vacancy rates gathered by the Department of City Planning, but Building Inspection would make all the required determinations with regard to permits and with regard to relocation.

"Nevertheless, the ordinance is drafted as an amendment to the City Planning Code, which seems inappropriate since the code that is used should be one that the administering department is responsible for.

"The staff is responding to the Board's letter, suggesting that a Planning Code amendment may not be the appropriate form for this ordinance. We also are indicating, in our letter, the very significant costs that would attach to the vacancy survey described in the ordinance. It would be an annual survey, and the description is so extensive that it might be described as being of the nature of the ten-year U.S. Census. Both housing units and the characteristics of residents would be involved, and the degree of accuracy called for would be very high. We wish to point out to the Board, in the response, that this type of survey is extremely expensive, and the directive in the ordinance would have to be accompanied by a sizeable appropriation."

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Calvin Malone, Planner IV, reviewed a list of 26 projects proposed by various departments for inclusion in a supplemental report to the Capital Improvement Program Report of January 20, 1975. After discussion, the Commission requested that this matter be taken under advisement for one week in order to provide more time to review the projects in detail.

EE74.158 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM NO. 2, SOUTHEAST DRY WEATHER EXPANSION AND INTERIM BAY OUTFALL.
(Continued from meetings of March 20 and 27, 1975).

Dean L. Macris, Director of Planning, reported that the State Clearing-house had not yet given the Commission authorization to proceed with certification of the completeness of the report. However, the City Engineer had been in Sacramento the previous day and had received assurances that comments from various State agencies would be transmitted to the Department of City Planning so that the Commission could act on certification of the report at its meeting next week. He stated that an additional meeting had been held in the subject neighborhood the previous evening; and he called on Robert Levy, City Engineer, to summarize that meeting.

Following Mr. Levy's testimony, the Commission received and responded to comments from members of the audience including Mrs. Myrtle Spruell, 1061 Hollister Avenue; Murray Cole, 1650 Davidson Street; Harold D. Madison, 1250 Shafter Avenue; and Lennie Gaines, 1506 McKinnon Avenue.

The Secretary read a letter which had been received from Edward M. Mitchell, owner of property located at 993 Tennessee Street.

Vice President Porter announced that this matter would be continued until the Commission's meeting on April 10, 1975, at 2:30 p.m. She then announced a five minute recess. The Commission reconvened at 2:40 p.m. at which time the Reverend Victor L. Medearis, Sr., a member of the Human Rights Commission, requested permission to address the Commission concerning the Environmental Impact Report.

A standard tape cassette recording of the proceedings is available in the files in the Department of City Planning for public listening or transcription.

CU75.8 - 175 QUINT STREET, NORTHEAST CORNER OF CUSTER STREET.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING YARD;
IN AN M-2 DISTRICT.
(Under advisement from meeting of March 6, 1975).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), remarked that this matter had been taken under advisement from the Commission's meeting on March 6 because the subject property is located within the boundaries of the proposed Southeast Water Pollution Control Plant Expansion; and it was expected that the Commission would have taken action on certification of the completeness of the Environmental Impact Report for that project prior to today's meeting. He noted, however, that that action was still pending and that the Commission was now expected to take action on that matter on April 10.

James Berg, Attorney for the applicant, remarked that the case report which had been prepared on this matter by the staff of the Department of City Planning had stated that his client's existing operation at 398 Quint Street covers 120,000 square feet of lot area; but the actual size of that yard is 64,000 square feet. While he acknowledged that the subject property is located within the boundaries of the proposed expansion of the Southeast Sewage Treatment Plant, he noted that representatives of the Department of Public Works had previously indicated that properties located north of Custer Street will not be needed for the sewage plant expansion for two or two and one-half years. Under the circumstances, he felt that his client, who had recently purchased the property, should be allowed to make an economic use of it until such time as it is actually needed for the sewage project. He stated that his client had made expenditures in contemplation of the Commission's approval of the subject application; and, since the proposed use would be compatible with other wrecking yard uses in the area, he urged the Commission to act on the subject application and to approve the proposed use for a period of at least two years.

Commissioner Fleishhacker emphasized that automobile wrecking yards are not a permitted use in an M-2 district unless specifically authorized as a conditional use by the City Planning Commission; and, under the circumstances, he felt that any expenditures which the applicant may have made in contemplation of the proposed use were premature since the Commission had not yet acted on the subject application.

Mr. Berg stated that he was aware that use of the site as an automobile wrecking yard would require conditional use authorization by the Commission; and he indicated that the only expenditures which his client had made were for fencing and other materials.

At this point in the proceedings, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

The Secretary read the following letter which had been received from S. M. Tatarian, Director of Public Works:

"I am writing to request that your Commission deny the request for conditional use (CU 75.8) for an automobile dismantling operation to be located at 175 Quint Street. This parcel (Lots 10 and 11 of Assessor's Block 5211) is part of the project area planned for expansion of the Southeast Treatment Plant. The Environmental Impact Report for the Southeast Plant is expected to clear your Commission in the very near future; and at that time, acquisition of properties within the project area will commence almost immediately. Under the provisions of the Uniform Relocation and Assistance Act, it will be necessary for the City's Relocation Office to identify and relocate all businesses or residences which may be dislocated as a result of federal action. Needless to say, this Act covers the expansion of the treatment plant.

[The text on this page is extremely faint and illegible. It appears to be a multi-paragraph document, possibly a letter or a report, but the specific content cannot be discerned.]

"I am sure that you are aware of the difficulty in relocating automobile dismantling operations to most any areas of the City. With that in mind, it is our feeling that it would be counter-productive to make a problem today that would have to be corrected after. I can assure you that the acquisition of the properties involved in the project area will be initiated by the City's Real Estate Department shortly after passage of the Environmental Impact Report; and as a consequence, the owner who is requesting this Conditional usage will not suffer unnecessary economic hardship.

"Thank you for your consideration in this matter."

The Secretary also called attention to a letter which had been received from Joseph Gogna, owner of property at 1455 Custer Street, in opposition to the application.

Wallace Wortman, Director of Property, noted that he had written a letter to the Commission approximately two months ago requesting that the subject application be disapproved because the property will have to be acquired by the City for the expansion of the Southeast Sewage Treatment Plant.

Commissioner Fleishhacker remarked that Mr. Tatarian's letter seemed to be somewhat inadequate in that it indicated that acquisition of properties for the Southeast Sewage Treatment Plant expansion would commence immediately after the Environmental Impact Report for that project has been certified as complete by the Commission. Mr. Wortman agreed, indicating that action would be required by the Board of Supervisors before property acquisition is initiated. He expected that property acquisition would commence in June.

Robert Levy, City Engineer, stated that authorization for the proposed automobile wrecking yard would not be in the public interest if the property is to be acquired for expansion of the sewage treatment plant since the City would then be obligated to relocate the wrecking yard to another site. However, if the Board of Supervisors should fail to authorize the proposed sewage plant expansion project, the Department of Public Works would withdraw its objection to the present applicant's proposal.

Mr. Steele stated that it was the recommendation of the Director of Planning that the subject application be denied. He indicated that the time schedule for upgrading the City's Southeast Wastewater Treatment Plant calls for acquisition of the subject property within 2 years, and possibly a much shorter time. As a result, it was highly questionable whether or not the applicant could comply with the requirements of the Department of Public Health, the Fire Department, the Department of Public Works, and the City Planning Commission guidelines within such a short time period. Even if those requirements could be met, it would not appear to be reasonable to expect that the cost involved could be amortized to any meaningful degree before the property is purchased by the City. In addition, he noted that opposition to the proposed automobile wrecking use had been expressed by property owners in the immediate vicinity.

THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JANUARY 1, 1900
SIR:
I have the honor to acknowledge the receipt of your letter of the 29th inst. in relation to the matter of the purchase of land for the proposed site of the new building for the War Department, and in reply to inform you that the same has been referred to the proper authorities for their consideration.

Very respectfully,
Your obedient servant,
J. H. COOPER, Major General, Chief of Staff.

Enclosed for you are two copies of a report of the Board of Engineers, dated December 15, 1899, in relation to the proposed site of the new building for the War Department, and also a copy of a letter from the Secretary of the Army, dated December 15, 1899, in relation to the same matter.

I am, Sir, very respectfully,
Your obedient servant,
J. H. COOPER, Major General, Chief of Staff.

Very respectfully,
Your obedient servant,
J. H. COOPER, Major General, Chief of Staff.

Very respectfully,
Your obedient servant,
J. H. COOPER, Major General, Chief of Staff.

Mr. Berg felt that it was clear that the Department of City Planning was assuming that the subject property would be acquired by the City; and he believed that the staff wished to prevent use of the property as an automobile wrecking yard in order to lower the City's acquisition cost. He felt that such an action would be no different from requiring discontinuance of the existing automobile wrecking yard uses in the area. He also emphasized that the Department of City Planning had issued a negative declaration after its review of the possible environmental impact of the proposed use.

Mr. Steele stated that the City Planning Commission, in acting on a conditional use application, is required to consider whether the public interest would best be served by approval or disapproval of the application.

Commissioner Rueda asked how long it would be before the applicant would be permitted to file a new application if the application presently under consideration were to be disapproved. After being advised by Mr. Steele that an application proposing substantially the same use of the site could not be submitted for one year, Commissioner Rueda suggested that it might be desirable for the applicant to withdraw the subject application so that it could be re-submitted within a year if the Board of Supervisors should fail to approve the sewage treatment plant expansion.

Mr. Berg noted that his clients would have to continue to pay taxes on the subject property until it is acquired by the City; and, under the circumstances, he felt that it would be extremely unfair for the City to deny his clients the use of their property.

Commissioner Fleishhacker pointed out that the subject property could still be used for any use which is considered to be a permitted use in an M-2 district even if the subject conditional use application were to be disapproved.

Mr. Berg stated that his clients are engaged in the business of automobile dismantling; and the subject property had been purchased with the intent of expanding that business. Under the circumstances, the property would be worthless to his clients if it could not be used for an automobile wrecking yard even though other uses might be permitted on the site.

Commissioner Fleishhacker observed that the applicants could not have known whether conditional use authorization for an automobile wrecking yard would be granted by the Commission when they had purchased the property; and, in view of the number of conditional use applications for automobile wrecking yards which had been disapproved by the Commission within the last few years, he felt that it would be unwise for anyone to purchase property in San Francisco with the assumption that it could be used as an automobile wrecking yard.

After further discussion it was moved by Commissioner Rueda and seconded by Commissioner Finn that the subject application be disapproved.

Commissioner Fleishhacker noted that the Commission had granted conditional use authorization to other automobile wrecking yards which occupy properties which will be acquired for expansion of the sewage treatment plant; and, since the City would provide relocation services for those other operations, he wondered why such services could not be provided for the proposed use, also.

Mr. Steele replied that the basic question was whether public policy would be best served by an action on the part of the Commission which would cost the City more money.

Vice President Porter remarked that improvement of the property for use as an automobile wrecking yard would also make it more costly for the City to acquire the property.

Mr. Berg felt that the Commission should not be concerned about the City's acquisition cost; however, he stated that his clients plan no large scale improvements or buildings on the site. Fencing would probably be the major investment.

Commissioner Fleishhacker asked when the property might actually be needed for expansion of the sewage treatment plant. Mr. Levy replied that that was a difficult question to answer insofar as it was hoped that properties north of Custer Street would not be needed for the initial phases of the project. The real problem with the proposed use related to the responsibility which the City would have for relocating the use if it were authorized. While relocation of some of the uses which are principal permitted uses in an M-2 district might be more costly than relocation of automobile wrecking yards, the fact of the matter is that automobile wrecking yards cannot be relocated. As a result, expansion of the sewage treatment plant could be delayed for months or even years pending settlement of the relocation issue if the subject conditional use authorization were to be granted.

Commissioner Finn asked if eminent domain procedures provide any possibility for mitigating the applicant's loss of potential land value. Mr. Wortman replied that he was not aware of any provision which could be used for that purpose. The only thing that he could do would be to offer his assurances that the property would be treated as a hardship case so that the property could be acquired as quickly as possible. He stated that the basic problem with allowing the applicant to use the property for automobile wrecking purposes, even on a month to month basis, was that the applicant would then be entitled to relocation assistance.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7308 and to disapprove the subject application. Commissioner Mellon abstained from voting since he had been absent from the meeting room at the beginning of the public hearing.

Later in the afternoon, Mr. Berg reappeared before the Commission to ask the Commission to reconsider its disapproval of the application and to act instead to take the matter under advisement until the Environmental Impact Report for the expansion of a Southeast Sewage Treatment Plant has been certified as complete.

The Secretary advised the Commission that reconsideration of the action would probably not be legal since individuals who had responded to the legal notice of the public hearing on the conditional use application were no longer present in the meeting room.

After discussion, the Commission noted that the applicant would have legal recourse from the Commission's action in the form of an appeal to the Board of Supervisors; and, as a result, it indicated that it did not wish to take any further action on the matter. The Commission did, however, request the staff to confer with the City's Attorney to determine whether reconsideration of the application under the present set of circumstances would have been legal.

CU75.13 - 4136 THIRD STREET, NORTHWEST CORNER OF INNES AVENUE.

REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING YARD;
IN AN M-1 DISTRICT.

The Secretary called attention to a letter which had been received from Michael J. O'Donoghue, representative of the applicant, stating that he was under a doctor's care for a severe cold and laryngitis and requesting that the hearing of the subject application be postponed.

Vice President Porter asked for a show of hands of individuals present in the audience who wished to address the Commission on this matter; and a number of individuals responded. She then asked if any of those individuals would find it inconvenient to return to the Commission's meeting next Thursday if consideration of the matter were postponed, and received a negative response.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), observed that many of the people who were interested in the subject application would be present for discussion of the Environmental Impact Report on the proposed expansion of the Southeast Sewage Treatment Plant at 2:30 next Thursday; and he recommended that the hearing of the subject conditional use application be scheduled at the same time.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that consideration of this matter be postponed until the meeting of April 10, 1975, at 2:30 p.m.

CU75.16 - JEFFERSON STREET, NORTH LINE, BETWEEN MASON AND TAYLOR STREETS. REQUEST FOR AUTHORIZATION FOR A BAKERY, A USE NOT RELATED TO WATER-BORNE COMMERCE OR NAVIGATION; IN A C-2 DISTRICT AND IN NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property, indicating that the applicant wished to remodel approximately 4500 square feet of space within an existing building to accommodate a French bread bakery. The bakery would have entrances from Jefferson Street and from the parking lot to the north of the building. He stated that the subject property is located within the Northern Waterfront Special Use District No. 1 which consists of Port-owned property beginning at Hyde and Jefferson Streets and continuing along the Embarcadero to the Bay Bridge. In that district, waterborne commerce and navigation, and industrial, commercial and other operations directly related to the conduct of waterborne commerce or navigation are permitted as principal uses. Any other uses which might be permitted by the zoning classifications of the properties involved are permitted only upon approval by the City Planning Commission as a conditional use. It was for that reason that the subject conditional use application had been filed. In conclusion, he stated that a negative environmental declaration had been issued for the proposed project on February 21, 1975, and had not been appealed.

Louis Giraudo, representing his father who intends to operate the proposed bakery, stated that the proposed facility would be involved only in retail sales and that it would have no wholesale sales or deliveries. As a result, the only traffic which would be generated by the facility would be occasional deliveries of flour and salt, the basic ingredients of sour dough bread. The bakery would enable the public to be able to view the making of sour dough French bread; and the only environmental impact which the facility would have would be to introduce the pleasant aroma of freshly baked bread into the area in the immediate vicinity. In conclusion, he distributed renderings of the proposed treatment of the exterior of the building.

Commissioner Fleishhacker asked what proportion of the existing building would be occupied by the proposed bakery. Mr. Steele replied that the bakery would occupy approximately one half of the building. The remainder of the building is occupied by a restaurant which is already in existence.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to four specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. He then summarized the conditions which were contained in the draft resolution.

Vice President Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Giraudo replied in the affirmative.

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7309 and that the application be approved subject to the conditions contained in the draft resolution.

CU75.17 - 875 FULTON STREET, SOUTH LINE, 110 FEET EAST OF FILLMORE STREET.
REQUEST FOR AUTHORIZATION FOR A RESIDENTIAL CARE FACILITY FOR
18 PERSONS WITH PHYSICAL OR MENTAL HANDICAPS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 55-foot frontage on Fulton Street and a depth of 137.5 feet for a total area of 7,562.5 square feet. The property is occupied by a building which was previously used as an apartment building with eight one-bedroom dwelling units. The building is presently used as a residential care facility for 18 patients; and the subject application had been filed to legalize that use.

Fay C. Morton, the applicant, stated that she was not aware of any opposition to the present use of the building. She indicated that most of the youngsters housed in the building are engaged in activities away from the site during the day; and she emphasized that her staff is adequate to provide the care needed by the patients and to run the facility in a quiet and efficient manner. She emphasized that her property has a parking lot which can accommodate 8 automobiles; and she urged that the Commission support the work which she is doing by approving the subject application.

Mrs. Green, a member of Mrs. Morton's staff, emphasized that the subject facility specializes in servicing handicapped persons.

Mr. Parmenter, a resident of the area, represented his wife and other property owners in opposition to the subject application. He felt that the subject property was inappropriately located for the care of handicapped persons; and he advised the Commission that a similar facility on the corner of Fulton and Steiner Streets was not regarded as a satisfactory addition to the neighborhood. He believed that a facility such as the one being proposed should be located in the country where handicapped patients would be able to help themselves and where they would not be subject to the type of crime which is experienced in cities. He also wondered if the facility is funded by the State or Federal government.

Commissioner Rueda remarked that the Commission is not concerned with the funding of residential care homes. The role of the Commission is to determine whether such facilities should be authorized as conditional uses in residential districts.

Vice President Porter asked Mrs. Morton if she is licensed by the State. Mrs. Green replied that she has an application on file; but approval of the application would be subject to the Commission's action on the conditional use application.

Mr. Parmenter then asked who would pay for remodeling of the building to accommodate the proposed use. Mrs. Morton replied that the building had already been remodeled and that she had paid for the work.

Mr. Parmenter remarked that the proposed use would not increase the value of other properties in the neighborhood.

Commissioner Fleishhacker stated that the Commission, in considering a conditional use application, was interested to know whether people felt that the use being proposed would generate additional traffic or have another types of detrimental impact on the surrounding neighborhood.

Mr. Parmenter felt that the proposed use would cause disruption in the neighborhood. He believed that the patients in the residential care home, lacking proper supervision, would congregate in the streets; and, because of their handicaps, they would be subject to attack by "criminals" in the area.

Commissioner Fleishhacker asked Mr. Parmenter if he was concerned about people or if he was only concerned about the value of his own property. Mr. Parmenter replied that he was concerned about people as well as the value of his own property; and he felt that none of the members of the Commission would wish to have the proposed facility located in their own neighborhood.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele stated that the need for the proposed facility had been well established; and he remarked that the use would not involve any exterior changes in the appearance of the building. Furthermore, he believed that continuance of the residential care facility would have no serious detrimental effect on the residential character of the neighborhood. Therefore, it was the recommendation of the Director of Planning that the application be approved subject to six specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing copies of the draft resolution, he summarized the conditions which it contained.

Vice President Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mrs. Morton replied in the affirmative.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7310 and that the application be approved subject to the conditions contained in the draft resolution.

The first of the year was a very busy one for the school. The students were very active in their studies and in their extracurricular activities. The teachers were also very busy in their classrooms and in their administrative duties. The school was very successful in its first year.

The second of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its second year.

The third of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its third year.

The fourth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its fourth year.

The fifth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its fifth year.

The sixth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its sixth year.

The seventh of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its seventh year.

The eighth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its eighth year.

The ninth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its ninth year.

The tenth of the year was also a very busy one. The students continued to work hard in their studies and in their extracurricular activities. The teachers continued to work hard in their classrooms and in their administrative duties. The school was very successful in its tenth year.

CU75.18 - 101 AND 105 CALIFORNIA STREET, SOUTH WEST CORNER OF DAVIS STREET.

REQUEST FOR AUTHORIZATION FOR A PARKING LOT; IN A C-3-0 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 137.5 feet on California Street and a frontage of 137.5 feet on Davis Street for a total area of 18,906.25 square feet. He stated that the building which had previously occupied the property had been gutted by fire; and the property is presently vacant. The applicant proposed to construct a 98 space attendant parking lot as a 3 year interim use of the property. The proposed parking lot would have access from and egress onto both California and Davis Streets. A solid fence with a height of 5 feet would be installed to screen the lot from both streets; and street trees would be planted. In conclusion, he stated that a negative declaration had been issued for the project on March 14, 1975, and had not been appealed.

John C. Colver, Vice President of the Tishman San Francisco Corporation, stated that the subject lot is part of an entire city block which his firm had acquired for development. While they still wished to proceed with the planned development, it was unlikely that that project would proceed until the present economic situation improves. The buildings which had occupied the subject lot had been gutted by fire and demolished; and use of the property as a parking lot seemed to be the only practical way to derive some income from the property to defray the cost of taxes. Unless his firm is able to maintain its property at a "break-even point", it was possible that the block may have to be sold on a piecemeal basis; and, under those circumstances, the opportunity for a large co-ordinated development would be lost. Aesthetically, he believed that a paved parking lot would be more attractive than a vacant lot; and he indicated that plans for the project called for the installation of benches and landscaping on the site. While he was aware of the City's policies regarding off-street parking in the downtown district, he remarked that off-street parking is nonetheless necessary for businesses in the area. Monthly commuter parking would be discouraged on the proposed parking lot; and, since other parking spaces had been removed in the immediate vicinity, the proposed facility would not really be increasing the number of off-street parking spaces in the area. In conclusion, he emphasized that the proposed parking lot was intended as an interim use.

Henry B. Quinby, Assistant General Manager for operations of the Municipal Railway, summarized the following letter which had been addressed to the Director of Planning by Curtis E. Green, General Manager of the Municipal Railway:

"We understand that a parking lot has been proposed as a conditional use for the southwest corner of California and Davis Streets.

"Once again we are obliged to register our strong opposition to the establishment of any additional parking facilities in the Central Business District. Parking facilities only serve to draw additional automobiles into the downtown area compounding the existing congestion, further deteriorating air quality, and adding to the consumption of dwindling fossil fuel supplies.

"It may seem that the addition of one more parking facility with 'only' sixty-eight spaces does not have great impact. However this particular location could and would have great impact on the operations of the Municipal Railway. A parking lot at this site increases operating and safety problems of the Municipal Railway.

"There are four Municipal Railway lines operating past this site:

- "1. No. 61 California Street Cable, which operates east and west on California Street.
- "2. No. 41 Union-Howard Trolley Coach, which operates south on Davis Street.
- "3. No. 45 Van Ness-Sutter Motor Coach, which operates east on California St., turning south on Davis St. to its terminal at Davis and Pine St.
- "4. No. 55 Sacramento St. line, which operates south on Davis St., turning east on California St. to Market St.

"Any California Street westbound automobile traffic entering or exiting from California Street would cross and conflict with cable car operations. Furthermore, eastbound exiting traffic would be forced by existing street patterns to the left turn only intersection of California and Drumm Street. This is where cable cars during peak hours often back up waiting to utilize the 'Y'. Eastbound traffic would also interfere with the turning movement of the No. 55 Sacramento Street line as it moves east on California from Davis Street. Additional automobile traffic, generated by the proposed parking lot, would only create further congestion at this already congested point.

"Traffic entering and leaving the proposed parking lot from California Street would also interfere with the operation of the No. 45 line which as indicated above, operates on California and turns south at Davis Street. Any exit or entrance on Davis Street would cause undue interference with the No. 41 Trolley Coach line as well as the aforementioned No. 45 Motor Coach line.

"It must again be pointed out that this site would have a deleterious effect upon the operations of the Municipal Railway, with concomitant disservice to the volume of mass transit users in the area.

"We urge you to recommend to your Commission that the parking facilities be disapproved and furthermore that you continue to work actively with the Municipal Railway in order to expedite the full implementation of San Francisco's transit first policy."

Mr. Steele remarked that the subject property is located within the downtown core automobile control area as designated in the Transportation Element of the Comprehensive Plan. Since that area is indicated as one in which a continuing effort should be made to reduce the impact of the private automobile, the proposed parking lot would be in direct opposition to the policies of the Comprehensive Plan. In addition, the proposed parking lot would have access and egress to California Street which is designated as a transit preferential street and which carries the California Street cable car. A one-way street pattern in the subject neighborhood would cause automobiles entering and leaving the lot to impact significantly three currently congested intersections at Market, Davis and Pine Streets, at Market, Drum and California Streets, and at Drumm and Sacramento Streets. Circulation to and from the proposed lot would not be provided by major thoroughfares; and access to either of the two nearby freeways would require use of congested local streets which also serve as major transit routes. The subject neighborhood is well-served by public transit; and the subject property is less than one block from the Embarcadero BART Station. For those reasons, it was the recommendation of the Director of Planning that the subject application be disapproved.

Mr. Colver stated that it was neither the intention nor the desire of his firm to disrupt Municipal Railway service; and, while they had not had an opportunity to discuss Mr. Green's concerns with him, he believed that the situation could be ameliorated if driveways to the proposed parking lot were limited to the Davis Street frontage. While BART is a great transit system, the fact remains that it does not serve Marin County.

Commissioner Fleishhacker asked if the staff had any information relative to the number of off-street parking spaces in the general vicinity of the subject property and the current use of those spaces. Mr. Steele replied in the negative.

Jay Cahill of the Cahill Construction Company, who had filed the subject application on behalf of the Tishman San Francisco Corporation, stated that he had made a survey of the area and had found that almost all of the garages and parking lots are full most of the time. Approximately 14,000 office workers are employed within a 2 block radius of the subject site; and there are only 755 off-street parking spaces to serve them. He stated that it was expected that the proposed parking lot would have a mid-afternoon activity peak; and, as a result, it should not interfere with rush hour transit service;

and he stated that driveways to the lot could be limited to Davis Street to minimize interference with Municipal Railway vehicles.

Vice President Porter, noting that the Director had reported that the Board of Supervisors had approved a special parking control area for downtown San Francisco, asked if the subject property is located within that parking control area. Dean L. Macris, Director of Planning, replied in the affirmative but indicated that the subject application was exempt from those controls since it had been filed prior to the effective date of the controls. Nevertheless, he felt that the application should be rejected until such time as a parking management plan for San Francisco has been prepared.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7311 be adopted and that the subject application be disapproved.

CU75.19 - 1239 - 12th AVENUE, WEST LINE, 250 FEET SOUTH OF LINCOLN WAY.
REQUEST FOR AUTHORIZATION FOR A RESIDENTIAL CARE FACILITY
FOR EIGHT AMBULATORY ADULTS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 25-foot frontage on 12th Avenue and a depth of 120 feet for a total area of 3,000 square feet. The building occupying the site is presently used as a residential care facility for six patients; and the applicant was requesting authorization to increase the occupancy of the existing facility to accommodate 8 adult, ambulatory, mentally-handicapped persons, without any physical expansion of the building. He stated that a negative declaration had been issued on March 7, 1975, and had not been appealed.

Dominga Aquino, the applicant, advised the Commission that she takes good care of her patients; and she indicated that some of the residents of the neighborhood had signed a petition in support of the subject application.

A representative of the State Department of Public Health's Community Services Division stated that she was present to attest to the quality of care provided by Mrs. Aquino.

Allan Chalmers, 1231 - 12th Avenue, stated that he did not oppose the subject application since the residential care home which was under consideration was the only one located in his block. However, he indicated that he was concerned about the increasing number of single family houses which are being converted to institutional uses; and he wondered if the Commission had any policies relating to the proliferation of such uses.

Mr. Steele replied that it is the policy of the Commission to protect residential neighborhoods against an impaction of such uses; however, because

of the provisions of State law, the Commission has no control over residential care facilities with six patients or less. He stated that data which was available to the staff of the Department of City Planning indicated that the subject neighborhood is not impacted with residential care facilities.

Marcia Lindeen, 1330 - 34th Avenue, stated that a large number of institutional uses have been established in the Inner Sunset District; and she felt that they should be distributed throughout the City instead of being clustered in enclaves. She also questioned whether the applicant's building has sufficient room to accommodate two additional patients without overcrowding.

Mrs. Aquino stated that the building had been inspected by a State inspector.

Vice President Porter observed that the State has rather strict licensing standards.

John Bardis, representing the Housing and Zoning Committee of the Inner Sunset Action Committee, stated that he was concerned about the need for providing proper care for handicapped people; but he was also concerned about the City's need for single-family dwellings. He remarked that many single-family dwellings have been demolished; and others are being converted for institutional uses. The effect of such trends is to drive low- and moderate-income families out of the City. He felt that anyone who acquires a single family residential structure for conversion to institutional use should be required to replace it in kind. In conclusion, he stated that he was opposed to the applicant's request to increase the number of patients in the subject facility.

Mr. Steele remarked that the need for residential care facilities has been established. The proposed occupancy could be achieved without altering the exterior appearance of the building; and the staff believed that continuance of the use with two additional patients would have no serious detrimental effect on the residential character of the neighborhood. Therefore, it was the recommendation of the Director of Planning that the application be approved subject to seven specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing copies of the draft resolution, he summarized the conditions which it contained.

Vice President Porter asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mrs. Aquino replied in the affirmative.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7312 and that the application be approved subject to the conditions contained in the draft resolution.

At 4:30 p.m. Vice President Porter announced a 10 minute recess. The Commission reconvened at 4:40 p.m. and proceeded with hearing of the remainder of the agenda.

ZM74.9 - MISSION DISTRICT, CAPP STREET, WEST LINE, FROM 18TH STREET TO 26TH STREET AND BARTLETT STREET, EAST LINE, FROM 22ND STREET TO 26TH STREET.
C-2 TO AN R-3 DISTRICT (EXCLUDING SOME PROPERTIES PRESENTLY IN COMMERCIAL RATHER THAN RESIDENTIAL USE).

The Secretary announced that Commissioner Rueda had excused himself from participation in discussion and voting on this matter because of a possible conflict of interest.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject properties. He stated that the area under consideration for reclassification is comprised of 58 lots and approximately 4.69 acres along Bartlett Street and 113 lots and approximately 9.08 acres along Capp Street. The properties are presently zoned C-2 and are subject to a 50-X height and bulk district. He indicated that approximately 82 percent of the properties included in the subject application are presently being used exclusively for residential purposes. If the application were to be approved, buildings currently developed to a greater residential density than would be permitted under R-3 zoning would become non-complying buildings with respect to the City Planning Code. However, such non-complying buildings, if destroyed by fire or other calamity, could be rebuilt as presently existing if construction were to begin within one year of the disaster. Parking lots would become automatic conditional uses; and commercial uses would become non-conforming uses with termination dates generally 20 years from the effective date of the reclassification. In conclusion, he stated that a certificate of determination of exemption from environmental review had been issued for the proposed reclassification on October 22, 1974.

Toby Levine, President of the Mission Planning Council, stated that her organization, working with LaRaza en Accion Local, had determined that housing on Capp and Bartlett Streets is particularly vulnerable since those properties, being zoned commercial, are not subject to the interim residential controls; and, as a result, they had formed an ad hoc Committee to seek reclassification of those properties.

Al Bovice, representing LaRaza en Accion Local, asked individuals present in the audience in support of the application to raise their hands. Approximately 140 individuals responded. Vice President Porter then asked for a show of hands of individuals present in opposition to the application and received a response from approximately 20 individuals.

Mr. Bovice stated that the subject blocks contain 143 buildings, more than 82 percent of which are devoted to residential use; and the buildings

house more than 4,000 residents. In all of the 12 blocks included in the subject application, only two buildings are used exclusively for commercial purposes. However, since the properties are presently zoned C-2, the residential structures are not protected by the interim residential zoning controls. He noted that some members of the Commission were absent; and, given the importance of the requested reclassification to residents of the neighborhood, he asked that the hearing be postponed until the Commission's next regular meeting on April 10. Vice President Porter asked why the applicants had brought so many people to the meeting if they intended to request a postponement. Mr. Bovice replied that the proposed rezoning was of such great importance to residents of the neighborhood that they were willing to come to City Hall as often as necessary.

Vice President Porter then inquired into the disposition of the audience concerning the request for postponement. Approximately 100 individuals indicated that they supported the request for postponement while approximately 15 individuals indicated that they objected to the request.

Commissioner Fleishhacker acknowledged that the Commission had usually granted postponements when requested to do so by applicants. However, such requests are usually made when the applicant feels that he is, for one reason or another, unable to present his case adequately. The present request for postponement was somewhat unusual insofar as it appeared that the basic reason for the request was that the applicants felt that they would have a better chance of winning their case if more members of the Commission were present. He felt that the Commission should proceed with the hearing as scheduled; and, at the conclusion of the hearing, the Commission could decide whether it wished to take action or postpone the matter for one week. The other members of the Commission agreed with that procedure.

Mr. Bovice then introduced Raphael Cedillos, also representing LaRaza en Accion Local, who submitted a petition which had been signed by approximately 488 residents and property owners in support of the subject application.

Mr. Bovice proceeded to summarize the following statement which had been prepared by the Ad Hoc Committee to Rezone the Mission to explain their reasons for filing the subject application:

"1. Interim Controls. The recently passed interim zoning controls do not apply to the Capp and Bartlett areas which we are now trying to re-zone. This is true in spite of the fact that the Mission Planning Council, although supporting the interim controls, noted before this Commission that there were many residential areas in the Mission which would not be protected. We would like to see the benefits of these controls extended to Capp and Bartlett Streets, and this can happen only if the area is re-classified to residential.

"2. Housing Protection. The Mission District is primarily a family neighborhood and we wish it to remain so. The Mission District has had

little housing built in the past 25 years, and what housing has been built has not been for families. Ninety-two percent of our housing predates 1950. Furthermore, there is a vacancy rate of less than 1% in the Mission District for family housing according to City Planning's recent vacancy survey. As an important neighborhood in the City of San Francisco, we cannot afford to have any of our limited family housing destroyed for parking lots, fast-food outlets or apartments too small for families. The only way to ensure the protection of family housing is to re-zone this area to residential.

"3. Zone-to-use. Capp and Bartlett Streets have some of the finest family housing in the Mission District. Eighty-four percent of the lots are now in exclusively residential use while only 1% are exclusively commercial. For instance, the area between 22nd and 23rd on Capp has been recommended by both the MHDC Mission Plan and the Stanford Research Institute Housing Plan to be declared a historic district. In order to zone-to-use, the R-3 district is the correct designation to be chosen. The reasons are as follows: There are

- 25 single family dwellings
- 54 two-family flats
- 16 three family dwellings
- 28 4-6 family structure
- 123 total structures built to R-3 density or less.

There are only 20 buildings which exceed R-3 density in the area to be re-zoned. Furthermore, if the area is zoned R-3, it will encourage developers to build family units in the future rather than destroy them.

"For these reasons, since the area is overwhelmingly of low-moderate-density residential, it should be zoned R-3. The principle followed in our application is to re-zone to residential all present residential sites, but to allow present commercial uses, primarily on the corners, to remain in order to prevent undue hardship.

"4. Commercial Zoning Adjacent to Residential Use. The Mission District is an old neighborhood and the use patterns developed before there were strict zoning regulations. Therefore, on some corners, such as Capp and 24th Street, Capp and 22nd, Bartlett and 23rd, there are neighborhood shops, such as Fung's Meat Market, Nuria's Dress Shop, El Zarape Restaurant, etc. Since the Mission District, along with Chinatown, has one of the lowest car ownership rates, people must shop close to their homes. Therefore, in our application, the corners on Capp and Bartlett with commercial uses were left commercially zoned. This is not spot zoning because the commercial uses are next to commercial properties extending from Mission Street. Our point is that the small 'mom and pop' stores on the corners of residential areas should be zoned to their use, which is commercial.

"5. Environmental Quality. At present, Capp and Bartlett, with the exception of traffic from Mission Street are quiet streets attractive to families. However, the seeds of destruction are there. We have lost a substantial amount of family housing on the commercial side of Capp Street to parking lots. Family housing on the commercial side of Capp and Bartlett is allowed to run down by absentee owners who do not care about the neighborhood and are holding on to their property in hopes of high profits. It is interesting to note that the east side of Capp Street, which is zoned residential, has 124 resident owners. On the west side, there are only 64. If development suitable for residents is not encouraged, soon both sides of the street will be affected by this strange zoning division down the middle of the street. What this means in human terms is that the neighborhood quality of life for over 2,430 residents on Capp Street and 1,470 residents on Bartlett Street will degenerate, if the requested zoning change is not approved.

"6. Bart and its Impact. BART was voted and paid for by the people of San Francisco and two other Bay Area counties. When BART was built, its purpose was to solve our severe traffic and transportation problems and to improve the quality of air and life in the cities. It was not intended to uproot community businesses and residents. However, the BART station at 24th Street has brought skyrocketing rents and land values. This has the tendency to drive out the small merchant and small resident property owner or tenant who can no longer afford to live or work in the neighborhood. The area around the 24th Street station is small in scale, with great diversity in shopping opportunities. The neighborhood is oriented toward the people who live there now. This is the way the people of the Mission would like to see it remain. You, the Planning Commission, by re-zoning Capp and Bartlett to residential will enable the people who voted and paid for BART, to be able to remain in the neighborhood and use this great transportation system.

"7. Preserving and Strengthening the Mission Shopping Area. We state strongly that we are not opposed to commercial development and improved shopping opportunities along Mission Street, so long as that does not destroy existing family housing. We believe that Mission Street can be one of the most exciting shopping streets in San Francisco. But this requires a concentration of diverse, renovated and popular stores on Mission Street itself. Furthermore, there is adequate space along Mission Street itself, including many vacant stores and lots, for commercial expansion. The main point, is that the area along Mission Street in the vicinity of the 24th Street station must remain a neighborhood shopping district, and the residences on Capp and Bartlett must be preserved and enhanced."

Ms. Levine presented a photographic slide show designed to reflect current conditions in the subject neighborhood and to high-light the reasons for the requested rezoning.

Mr. Bovice then indicated that he wished to call on a few more individuals who wished to address the Commission briefly to express their support for the proposed rezoning.

Jim Stack, a resident-owner of property located at 437 Bartlett Street, stated that the subject neighborhood has a number of advantages, including the fact that it is a pleasant neighborhood, that nice parks are located nearby, shopping is convenient, and good transit service is available on BART. However, since properties in the area are zoned for commercial use, he was concerned about the possibility that the environment of the area might be subject to drastic changes in the future unless the zoning is changed. While he had no intention of taking advantage of the commercial zoning of his property, he noted that some of the other properties in the area are zoned by individuals who live elsewhere; and he felt that it was possible that they might be persuaded to sell their properties for commercial development because of the financial advantage which they would realize through such a transaction. Furthermore, given the fact that BART is now in operation, he felt that pressures for such transactions would be increasing. As long as the commercial zoning of the property is retained, residents who wished to remain in the area would have no assurance that adjacent buildings would not be torn down and replaced with bars, parking lots, or other types of commercial uses; and, in order to provide a sense of security for the neighborhood, he urged that the subject application be approved.

Herc Asconti stated that he had lived in the Mission District for 45 years; and he remarked that he had seen a number of residential buildings removed to make way for new commercial buildings and parking lots. He stated that he was particularly concerned about people who are living on fixed incomes since they would not be able to afford the rents which are charged in newer residential buildings; and, as a result, he felt that it was essential that buildings such as those on Capp and Bartlett Streets should be retained. Individuals who had attended neighborhood meetings to object to the reclassification had spoken only in terms of "dollar values"; and he felt that "human values" should also be given full consideration.

Roberto Hernandez, representing Real Alternatives Program, stated that many poor people live in the subject neighborhood; and, if they were to be dislocated from the existing residential structures on Capp and Bartlett Streets, they would not be able to afford to rent dwelling units in newly constructed buildings.

Felix Sala, consultant for Real Alternatives Program, stated that what the subject neighborhood needs is better housing and more things for the people who live in the area to relate to. He indicated that representatives of the Ad Hoc Committee to Rezone the Mission had approached the business committee in the Mission District to ask them to help residents of the neighborhood with their problems but had been rebuffed; and, as a result, they had little sympathy with the business community's opposition to the proposed reclassification.

1. The first part of the report deals with the general situation of the country and the progress of the work of the Commission. It is a summary of the work done during the year and is intended to give a general impression of the work of the Commission.

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Father Satterfield, representing catholic priests in the Mission District, emphasized that one of the major problems in the Mission, Hunters Point, and Bayview areas is housing. He stated that the basic values of the Mission District have been built on the institution of families; and he felt that the "family" environment of Capp and Bartlett Streets would be threatened unless the subject request for rezoning were approved.

Priscilla Avelino, 368 Capp Street, stated that she had lived in the Mission District since 1960. She has six children; and she enjoys living in the subject neighborhood. Therefore she wished to support the request for rezoning of properties on Capp and Bartlett Streets.

Robert Kreuzberger, Vice President of the Mission Merchants Association and owner of a real estate business, stated that his association had engaged the services of Robert Cooke, a private city planner, and David Bradwell, an economic consultant, to analyze the rezoning proposal which was presently under consideration; and he called on the consultants to present the technical data which they compiled.

Mr. Cooke distributed copies of a statement which had been prepared for the Mission District Merchants Association on the proposed rezoning of Capp and Bartlett Streets and read the following portion of the statement:

"Responses to Applicant's Arguments

"1. Zoning should reflect use.

"Such an approach denies the principles and conventional practices of the planning Process /Policies → Plan (long-term goals) → zoning (short-term goals)/

"2. A. One side of street (Capp/Bartlett) is zoned commercial while the other side is zoned residential.

"The preponderance of commercial developments throughout the County since World War II have followed the practice of using the boundary street as a divider between commercial and residential uses.

"B. Commercially zoned lots are being held for future speculation rather than being developed for housing which is a desperate need.

"Two options are suggested in this argument:

"1. That lots not presently used residentially will be developed residentially, and

"2. That those lots presently used residentially will be subject to demolition and new construction, or remodeling of existing residential structures to provide additional dwelling units. Recent history (1951 to present) suggests that the likelihood of any significant addition to the housing stock in the Mission District occurring along the strip proposed for rezoning on Capp and Bartlett Streets is low.

"3. Change to residential zoning will protect neighborhood and housing from negative and/or excessive commercial expansion caused by the presence of BART.

"The BART stations at the intersections of 16th and 24th Streets and Mission Street have been planned to provide access to these areas for people coming from elsewhere in the transit network, as well as to allow the people of the Mission to GO elsewhere in the network to work and to shop.

"To the extent that the commercial outlets around these two focal points fully and satisfactorily serve the people of the Mission, their need to go elsewhere for work or to shop will be significantly reduced.

"To the extent that such commercial facilities are found to be comparatively more attractive and satisfying than those at other stations on the transit system, people will come to the Mission to shop. This, in turn, can provide additional work opportunities for the people of the Mission.

"It would seem strange to deny the opportunity afforded by the BART stations to secure more jobs for the people of the Mission, and enhance the variety of goods and services available to them.

"4. Bartlett and Capp have some of the finest family housing, including Victorian structures of a very high grade, in the Mission. We want to see this housing for families protected.

"Housing in the Mission:

Stock:	22,417 units
Number by type:	3,154 single-family
	8,188 in 2-4-unit structures
	5,636 in 5-9-unit structures
	5,439 in 10+-unit structures
Replacement rate:	55 units per year
Life expectancy:	100 years

"Needed replacement rate to preclude generation of biggest stock of economically irretrievable housing in San Francisco's history: 213 units per year.

"Retaining aging housing stock beyond its reasonably convenient, safe, and economic habitable life ensures the creation of a slum ghetto for the poor. Such a program is inimical to the goals and policies of San Francisco."

Dr. Bradwell advised the Commission that his research had indicated that the replacement rate for housing in the Mission District is only one-fourth of what it should be if the one-hundred year life expectancy of housing units in the district is to be maintained; and he felt that the only way to provide suitable housing for low-income families is to increase the construction of new dwelling units. With regard to the issue of jobs, he remarked that the advent of BART has dispersed purchasing power to other communities; and he believed that the dollars being spent for purchases in other areas could be used to provide more jobs in the Mission District. Finally, he remarked that many people who hold high income jobs in the Mission District do not live in the neighborhood, whose population consists largely of clerical persons and laborers. He felt that the neighborhood needs a better population mix; and the best way to obtain that objective would be to provide a better mixture of jobs in the area.

George Rodriguez, an independent merchant in the Mission District, acknowledged that more residential buildings are needed in the neighborhood; however, he felt that housing should not be provided at the expense of the business community. Now that BART is in operation, merchants in the Mission District hope that it will work in their favor by bringing them more business; and increased business would provide the basis for more jobs. Given the nature of his own business, he doubted that he would face a need for expansion. However, if other businesses in the area expand, they will need supporting services, such as parking, which could be provided on the lots presently under consideration. Under the circumstances, he felt that it would be extremely unwise for the Commission to reclassify the lots from C-2 to R-3. In conclusion, he stated that the Mission merchants are already losing customers to suburban areas; and he felt that everything possible should be done to encourage the revival of business in the Mission District.

Vice President Porter stated that she was sympathetic with the concerns of the business community. Nevertheless, she recalled that the intention of the Commission in reclassifying properties on Capp and Bartlett Streets to C-2 in 1960 was to provide expansion space for businesses fronting on Mission Street; and although that zoning had been in effect for 15 years, the anticipated expansion had not occurred.

Mr. Rodriguez replied that BART had been under construction during much of that time and had caused many businesses to go bankrupt or to close their doors. BART had been in operation for only one year; and businesses along Mission Street had not yet had time to recover fully from the shock of the last decade.

Commissioner Mellon asked Mr. Rodriguez if he visualized development of properties along Capp and Bartlett Streets with major commercial structures.

Mr. Rodriguez replied in the negative, remarking that the best use of the lots would be for loading and unloading purposes and for customer parking.

Mr. Kreuzberger advised the Commission that the Mission Merchants Association had held a meeting of their general membership to discuss the rezoning proposal; and the members present, with the exception of 5 individuals, had voted "unanimously" to oppose the application. He stated that the proposed reclassification from C-2 to R-3 would reduce the land value of the properties by approximately \$4.00 a square foot. While some of the tenants of the buildings had apparently been told that these circumstances would reduce their rents, he had received a letter from Henry L. McKenzie, Chief of Assessment Standards in the Assessor's Office, which contradicted that argument. The letter read as follows:

"The effect of Down Zoning Capp & Bartlett Streets in the short term will probably be nil. The market basically dictates value and at the moment there is no strong demands for commercial sites on these streets.

"In the long run, as traffic patterns of Bart patrons become set there maybe some demands for commercial sites, but until this happens and demand is reflected in sales prices the Assessor's Office must value the land for it's most probable use and in most cases this is it's present use.

"The picture is especially clouded at the moment with the city wide housing shortage which is causing residential properties to increase more rapidly in value than commercial properties. If the various State and Federal Housing Programs work out this situation will probably reverse and in the long run these properties would have more value if their commercial zoning were retained."

Mr. Kreuzberger estimated that the average lot on Capp and Bartlett Streets would probably sell for approximately \$55,000 based on the current C-2 zoning; however, if the zoning were to be changed to R-3, he believed that the average property would probably have an approximate sale value of \$43,000. As a result, he feared that loans which had been made on the properties during the past few years would be jeopardized by the rezoning. He advised the Commission that no new residential units were constructed in the Mission District in 1974; and, although seven attempts had been made in recent years to carry out public housing or subsidized housing projects in the Mission District, increasing construction costs had resulted in the abandonment of at least four of those projects. Under the circumstances, he questioned whether new housing would in fact be constructed on the subject properties if they were to be reclassified to R-3. Furthermore, if new housing were constructed, it would probably be Federally-subsidized; and it was the opinion of the business community that what is really needed in the neighborhood is a better housing mix. He emphasized that off-street parking spaces are needed for businesses along Mission Street, particularly

for the new professional buildings which have recently been constructed. When the properties along Capp and Bartlett Streets were rezoned to C-2 in 1960, the intention was that they would be used not for new commercial buildings but for support services, such as parking; and various plans which had been prepared for the Mission District during the interim had endorsed that concept. The vitality of businesses along Mission Street had been diminished by the long period of BART construction and by the increase in low-income dwelling units in the neighborhood; but 250 new employments had been provided by Bayview Savings and Loan Association and 530 new jobs had been provided in the new medical office buildings which had been constructed in the area. Under the circumstances, he felt that the properties on Capp and Bartlett Streets should retain their C-2 zoning to accommodate the future expansion needs of businesses along Mission Street. In conclusion, he stated that he believed that the proposed rezoning would be contrary to the policies of the City Planning Commission as reflected in plans which it had prepared; and, furthermore, he felt that approval of the subject application would result in "spot zoning".

Commissioner Fleishhacker asked Mr. Kreuzberger if he envisioned the possibility of new stores being developed which would front on either Capp or Bartlett Streets. Mr. Kreuzberger replied that he could conceive of the properties being developed with buildings containing two floors of commercial space with residential units above as recommended in the plan which had been prepared by Okamoto/Liskamm for the City Planning Commission.

Commissioner Mellon asked Mr. Kreuzberger if he could visualize any large-scale commercial facilities fronting on either Capp or Bartlett Streets. Mr. Kreuzberger replied that he felt that the most important use of the properties on Capp and Bartlett Streets would be for parking. In fact, he thought it was quite possible that BART would exercise its power of eminent domain to acquire some of the properties for development as parking lots in order to increase its ridership.

Jack Bartolini stated that he does not own any of the subject properties but indicated that he does own properties in the neighborhood. Initially, he had intended to support the request for the proposed rezoning based on the fact that new housing is needed in the Mission District, particularly housing which would be attractive to higher-income people. However, after analyzing the proposal, he had decided to oppose it for two reasons. The first reason was that the proposed rezoning, if acted on properly by the Assessor's Office, would result in reduction of the assessed value of the properties; and, in view of the fact that the city is presently facing an \$80,000,000 deficit, he felt that such a reassessment would be unfair to all the people of San Francisco. The second reason for his opposition was that people who had purchased properties in the subject area during recent years had paid a premium price because of the C-2 zoning and had since paid premium taxes on their properties because of the zoning; and he felt that the support of the subject application would be tantamount to participating in "common thievery".

Winnifred C. McCarthy, Executive Director of the Apartment House Associations Consolidated, Inc., spoke on behalf of one of the members of her association who owns property at 936 to 938 Capp Street. She stated that it would appear that there is no need for a change of zoning in the subject neighborhood; and she believed that the proposed reclassification would put untold hardship on the present owners of the properties.

Jack Hirsch represented the Mission Lodge Masonic Hall Association which owns three lots on Bartlett Street and indicated that his association had already submitted a letter in opposition to the subject application. He stated that the properties along Capp and Bartlett Streets were rezoned to C-2 in 1960 because merchants on Mission Street had no room to expand and were thus being "strangled". The expansion had not occurred as anticipated because of the long years of BART construction; but he believed that the commercial zoning on Capp and Bartlett Streets continued to be as valid today as it was in 1960.

Jerry Levine, an economist, stated that the Ad Hoc Committee to Rezone the Mission was not "anti business"; but the committee felt that expansion of the business community should take place along Mission Street where existing vacant lots and existing zoning standards would allow 5 to 10 times more density than presently exists. He stated that a petition had been circulated which had been signed by 72 owners, managers, and employees of businesses on Mission Street in the affected blocks in support of the subject application; and, while Mr. Kreuzberger had stated that the members of the Mission Merchants Association had voted "unanimously" to oppose the application, he had understood that the vote had been 15 to 5 with a number of abstentions. He also indicated that supporters of the application had been denied an opportunity to attend that meeting to make a presentation. The committee continued to feel that its request for rezoning was "pro-business" and "pro-residents" while possibly being "anti-speculators". Many of the arguments which had been offered by the Mission Merchants Association in opposition to the rezoning were based on a study which had previously been made for the Commission by Okamoto/Liskamm; but he believed that the principals of that firm would readily acknowledge that the world has changed in the last ten years and that they would be prepared to support the subject application.

Commissioner Mellon asked Mr. Levine, as a professional economist, to comment on the impact which the proposed rezoning might have on future employment in the Mission District. Mr. Levine replied that he believed that expansion opportunities along Mission Street are more than adequate to support the commercial growth which will occur in the foreseeable future; and he observed that it is possible to construct parking garages instead of demolishing residential buildings for parking lots. In conclusion, he stated that he believed that merchants on Mission Street will do more business as long as people live on adjacent streets.

Frank Fernandez, representing LaRaza en Accion Local, stated that an increasing number of tenants have been coming to his organization with problems relating to increased rents and deteriorating housing conditions; and he felt that the proposed rezoning would protect the present residents of residential buildings on Capp and Bartlett Streets by stopping speculation and encouraging rehabilitation. He then noted that Section 101 of the City Planning Code states that some of the purposes of the Code are the following:

- "1. To protect the character and stability of residential, commercial and industrial areas within the city, and to promote the orderly and beneficial development of such areas.
- "2. To provide adequate light, air, privacy and convenience of access to property, and to secure safety from fire and other dangers.
- "3. To prevent overcrowding the land and undue congestion of population."

Mr. Fernandez also noted that Section 302(c) of the City Planning Code provides that the Commission shall approve a zoning amendment whenever it finds from the facts presented that the public necessity, convenience, and general welfare require the proposed amendment. He felt that the facts as presented clearly indicated that the proposed reclassification would be desirable; and he urged that the application be approved.

Margaret E. McBride, owner of properties located at 676 and 680 Capp Street, stated that she had installed a parking lot on her property at the request of merchants on Mission Street; and she felt that the parking lot serves a good purpose and fulfills a real need. She believed that the commercial zoning which had been established in 1960 was still valid; and, if commercial expansion had not taken place during the interim, she felt that the delay could be blamed on the disruption caused by BART construction. She doubted that the applicants had any plans to construct new housing on the subject properties; and, therefore, she urged that the application be disapproved.

Vice President Porter, noting that a request had been made by the applicants at the beginning of the hearing for the Commission postpone action on the proposal until its next regular meeting, asked if the Commission if it wished to honor that request. The individual members of the Commission indicated that they would prefer to take action during the present meeting. Vice President Porter then asked the staff for its recommendation.

Dean L. Macris, Director of Planning, stated that he wished to respond to the report which had been prepared by the consultants for the Mission Merchants Association. With regard to city policies, he noted that the policies of the city's Master Plan and the recently approved Community Development Program call for preservation of existing housing. Further

arguments had been made to the effect that housing which is old cannot be preserved, but he believed that older housing can be preserved if public resources are applied. While zoning by itself does not insure the preservation of older housing, it does provide an incentive for such preservation by providing a better environment and by instilling greater confidence in the owners of residential buildings. With regard to jobs, the argument had been made that new jobs would be brought about by allowing commercial development to occur in older housing areas such as Capp and Bartlett Streets. However, past experience had not shown that such development was likely; and he believed that jobs for Mission residents are most likely to be available where other San Franciscans will find them also, i.e. in office buildings, citywide services, and governmental activities. With regard to the future expansion of businesses on Mission Street, he remarked that there is no indication that commercial expansion of an appropriate nature cannot occur on space available on Mission Street itself; and he felt that the spread of commercial activities detracts from rather than adding to strong retail districts. He believed that the best thing which could happen from the point of view of the Mission Street merchants would be to have people with suitable incomes living as near to Mission Street as possible. He stated that there is no indication that a zoning change such as the one proposed would lower the sale price of existing structures on the properties; and, in fact, there are indications that such rezonings sometimes result in the increase of the value of existing structures. He then called on Mr. Steele to present the staff's recommendation with regard to the subject application.

Mr. Steele stated that one parcel on the south side of 21st Street between Mission and Capp Streets, which in the application is for all intents and purposes isolated from the area requested to be rezoned, should not be reclassified because reclassification of that property would place restrictions on it which do not apply equally to the properties immediately to the east or west of the property. He therefore felt that it would be appropriate to retain C-2 zoning for Lot 31B in Block 3615. However, it was the recommendation of the Director of Planning that all of the remaining parcels be reclassified from C-2 to R-3 as requested for the following reasons:

- "1. The subject properties on both Bartlett and Capp Streets are predominantly residential in character and use and this reclassification would encourage the retention of this residential character.
- "2. Housing in the area proposed to be reclassified consists in great measure of large, reasonably-priced family units which are in short supply throughout the city and the reclassification would encourage the retention of this housing.
- "3. The existing C-2 zoning in this area does permit the encroachment of commercial uses which could be detrimental to the present residential character of these residential streets.

"4. There is considerable vacant or under-utilized property along Mission Street, in particular, and other commercial streets within the area, which can accommodate substantial additional commercial development more appropriately than either Capp or Bartlett Streets.

"5. As the present zoning is commercial, the interim residential controls do not apply, and this proposed reclassification would therefore apply such controls to these residential areas.

"6. Lastly, substantial neighborhood support from both neighborhood residents as well as property owners has been indicated to you today."

Commissioner Fleishhacker moved that the subject application be approved in part and disapproved in part as recommended by the staff. In addition, he indicated that he was concerned about properties on Capp and Bartlett Streets which are presently used for commercial purposes, principally parking lots, and which had been excluded from the subject application. He felt that those lots, also, should probably be zoned for residential use; however, since the application had not given the Commission jurisdiction over those properties, he felt that it would be desirable for the Commission to adopt a policy of reviewing any permit applications filed for new structures on those properties under the Commission's discretionary review authority. Eventually, the proper zoning classification for those properties should determine the course of the City-wide Comprehensive Residential Zoning Study.

The motion which had been made by Commissioner Fleishhacker was seconded by Commissioner Mellon.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7313 and to approve the application in part and to disapprove the application in part as recommended by the Director of Planning.

Commissioner Fleishhacker requested the staff to prepare a draft resolution for consideration by the Commission next week which would announce the Commission's intention of conducting discretionary reviews of any new structures proposed for commercially-zoned lots on Capp and Bartlett Streets.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

10-75

SAN FRANCISCO
CITY PLANNING COMMISSION

APR 11 1975
PUBLIC CLERK

Minutes of the Regular Meeting held Thursday, April 10, 1975.

The City Planning Commission met pursuant to notice on Thursday, April 10, 1975, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon and his alternate Virgil L. Elliott, and John Ritchie, members of the City Planning Commission.

ABSENT: Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Calvin Malone, Planner IV; Wayne Rieke, Planner IV-(Zoning); Alan Lubliner, Planner III; Robert Meyers, Planner III-Transportation; Dave Fulton, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; Harry Johannesen represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of March 13, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the Neighborhood Plans Committee of the Commission (Commissioners Rueda, Fleishhacker and Ritchie) will meet at 1:00 p.m. next Thursday, April 17.

The Director, noted that the Commission, after acting on an application to reclassify certain properties on Capp and Bartlett Streets from C-2 to R-3 at its meeting last week, had requested that a draft resolution be prepared to announce the Commission's intent to exercise its powers of discretionary review over any building permit application filed for the remaining commercially zoned properties on Capp and Bartlett Streets which might result in detrimental effects on the surrounding residential neighborhood. He then distributed copies of a draft resolution which had been prepared with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission hereby directs the Department of City Planning Staff to review, during the remaining period of the Residential Zoning Study, all building permit

applications for new non-residential uses or for expansion of existing non-residential uses within the area described above and to submit to the Commission for possible review under its discretionary powers any such applications that in the opinion of the Department staff propose construction which would result in detrimental effects on the surrounding residential neighborhood.

"BE IT FURTHER RESOLVED, That the Zoning Administrator is hereby directed to send copies of this resolution to the owners of properties on Capp Street and Bartlett Street which may be subject to discretionary review as a result of the adoption of this resolution."

Commissioner Fleishhacker, remarking that some of the commercially zoned properties on Capp Street may have Mission Street addresses, stated that it was important that the owners of those properties, also, should receive copies of the resolution. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), confirmed that the resolution would be sent to the owners of properties on Capp and Bartlett Streets which have Mission Street addresses.

Subsequently it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7314.

The Director indicated that a letter had been received from Melvin G. Lawis, Manager of the Real Estate Department of the Bechtel Corporation, which read as follows:

"At the public hearing held on February 27, 1975 with respect to the above subject Draft Environmental Impact Report, the Planning Commission decided to continue the hearing for approximately 60 days.

"It has not been possible to complete the graphic and text changes in time for the Department of City Planning review and public advertising in order to meet the 60 day schedule.

"We, therefore, respectfully request postponement of the public hearing on EE74.224 until such time as the revisions can be completed and the hearing rescheduled."

The Director recommended that the hearing on the Environmental Impact Report be postponed for an indefinite period.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the public hearing on the Environmental Impact Report be postponed until such time as the revisions can be completed and the hearing rescheduled at a date convenient to all parties involved.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director remarked that a supplemental report to the Capital Improvement Program, containing late budget submissions and supplemental budget submissions, had been presented to the Commission for review at its meeting on April 3; but the Commission had decided to defer action on the matter for one week so that it would have an opportunity to review the projects in greater detail. He then called on Calvin Malone, Planner IV, who reviewed the projects and responded to questions raised by members of the Commission. During the course of the presentation, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the projects be approved as in conformity with the Master Plan subject to the priority ratings which had been recommended by the staff of the Department of City Planning.

The Director informed the Commission that the Department of Housing and Urban Development (HUD) had approved San Francisco's Community Development Application, the first such application from a major city to be approved.

The Director reported on his attendance at a meeting of the Budget and Governmental Efficiency Committee of the Board of Supervisors on Tuesday evening where the budget of the Department of City Planning for the next fiscal year was reviewed.

The Director informed the Commission that he would be out of town the first three days of next week to attend a planning conference in Vancouver, British Columbia.

R75.13 - SIDEWALK NARROWING, JUDAH STREET, 19TH TO 48TH AVENUES, FROM 12 FEET TO 10 FEET.

Arthur Fulton, Planner II, reported on this matter as follows:

"The Director of Public Works has forwarded the proposal to narrow the sidewalks on both sides of Judah Street, between 19th Avenue and 48th Avenue for review as to Master Plan conformity in accordance with Section 3.527 of the Charter.

"Judah Street is 80 feet wide, running from Parnassus Avenue in the Inner Sunset to the lower Great Highway at Ocean Beach. The N Line streetcar runs on Judah between 9th Avenue and the lower Great Highway. It will be part of the Muni Metro system when the Market Street subway comes into service.

"The proposed sidewalk narrowing is part of a larger transit improvement plan on Judah Street that entails installation of a raised, semi-exclusive transit right-of-way, passenger loading islands and transit preempted traffic signals, and elimination of certain auto movements that conflict with transit operations. The transit right-of-way will be in the center of the street, 24 feet wide, and 3 inches

high. It is designed to discourage, but not to make impossible, auto access to the transit track area. To make room for this right-of-way, and to allow for an 11-foot traffic lane and a 7-foot parking area on either side of it, the existing sidewalks on Judah Street must be narrowed from 12 to 10 feet.

"In addition to the transit improvements, utilities will be undergrounded, street trees will be planted and street lighting installed.

"The Transportation Element of the Master Plan designates Judah Street as a transit preferential street and notes that improvements to such streets should include:

'... restricting autos from streetcar and cable car tracks and eliminating automobile turning movements which conflict with transit vehicles.'

"Improvements identical to those proposed from 19th to 48th Avenues were reported to be in conformity with the Master Plan on February 1, 1973, for the section of Judah Street between 9th and 19th Avenues. The subject sidewalk narrowing is considered to be part of Phase II of the same improvement program."

Dean L. Macris, Director of Planning, recommended that the proposed reduction of sidewalk widths on Judah Street be approved as in conformity with the Master Plan.

Tom Rickert, Co-ordinator of the Transportation Committee of the Sunset Parkside Education and Action Committee (SPEAK), advised the Commission that the proposed project has brought organizational support as well as the support of residents of the neighborhood. In fact, there seemed to be an almost total lack of opposition to the project.

No one else was present to address the Commission on this matter.

After discussion, it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Director be authorized to report that a sidewalk width of 10 feet, as part of the proposed plan to make Judah Street a transit preferential street, is in conformity with the Master Plan.

R75.5 - REVOCABLE ENCROACHMENT PERMIT, 1050 KEARNY STREET, AT CHESTNUT STREET: FENCING AND OCCUPYING THAT PORTION OF THE STREET FRONTING LOT 3, BLOCK 56, FOR A PARKING LOT.

Robert Meyers, Planner III-Transportation, reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been received from the Director of Public Works.

"Granting of this encroachment permit would allow construction of a new fence and gate in the public street area opposite 1850 Kearny Street, 90 feet south of Francisco Street, to provide a private parking lot for vehicles and equipment owned by Q. M. Productions of 1850 Kearny Street.

"The improved street now ends at the Telegraph Hill cliff. The west side of the street in this block is bordered by property used for parking by the Bank of America. To the south, at the top of the cliff across Chestnut Street, the properties are improved with dwellings.

"Until recently, the neighborhood of Kearny Street described in this referral has had predominantly industrial uses, and parking has tended to occur on private properties and in street areas in a somewhat haphazard manner. However, this part of the Northern Waterfront is in the process of being transformed and upgraded as a mixed residential and commercial community in accordance with the Northern Waterfront Plan, a portion of the City's Master Plan. The Francisco Bay Office Park and the Telegraph Landing Residential Community, both approved by the City Planning Commission, are nearing completion in the immediate vicinity of the subject site. In the review of both developments by the Planning Commission there was particular concern for pedestrian and landscaping amenities in the street areas. It would be inconsistent with the Northern Waterfront Plan and with current development patterns to legalize the use of this street as a parking lot by granting the proposed encroachment permit.

"An encroachment permit for use of the street for private parking would also be contrary to policies of the Urban Design and Transportation Elements of the Master Plan.

"Objective 3, Policy 2 of the Thoroughfares Plan in the Transportation Element states:

'Retain streets not required for traffic for pedestrian circulation, open space use, and density control.'

"Objective 3, Policy 4 of the Thoroughfares Plan in the Transportation Element states:

'Partially or wholly close certain streets not required as traffic carriers for pedestrian use or open space.'

"Urban Design Element Policies for Conservation establish specific criteria for the limited instances in which public streets may be given up for private use.

"Policy 3 establishes the most basic rule:

'Maintain a strong presumption against the giving up of street areas for private ownership or use, or for construction of public buildings.'

"Policy 9 states that 'No release of a street area shall be recommended which would result in' any one of a series of occurrences, including:

'(5) Elimination or reduction of open space which might feasibly be used for public landscaping or public recreation;' or

'(11) Adverse effect upon any element of the Master Plan or upon an area plan or other plan of the Department of City Planning.'

"In the remainder of Policy 9 there are a series of beneficial purposes for which a street area might be given up, at least one of which must be present if a proposed encroachment permit or other release of a street area is to be approved. None of these beneficial purposes would apply in the present case."

Dean L. Macris, Director of Planning, recommended that the proposed issuance of the encroachment permit be disapproved as in conflict with the Master Plan.

Dick Gallagher, representing Q. M. Productions, stated that his firm had initiated the application for the encroachment permit approximately one year ago; and he apologized for the fact that the matter had progressed so far without his being aware of the problems involved. Having been made aware of the problems, he was prepared to withdraw the application; and he requested that action on the matter be postponed for one week so that he would have an opportunity to process a request for withdrawal.

The Director explained that the Department of Public Works, the agency which had referred the matter to the City Planning Commission, would have to make the formal request to the Commission for withdrawal; and, in view of these circumstances, he recommended that the matter be taken under advisement for one week as requested by the applicant.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that this matter be taken under advisement for one week.

EE74.158 - CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WASTEWATER MASTER PLAN IMPLEMENTATION PROGRAM NO. 2, SOUTHEAST DRY WEATHER EXPANSION AND INTERIM BAY OUTFALL.

(Continued from meetings of March 20 and 27 and April 3, 1975).

Dean L. Macris, Director of Planning, distributed a written summary of comments which had been received concerning the subject Environmental Impact Report; and he indicated that the summary of comments received also included responses to the comments by the staff of the Department of City Planning. He

then reported that Robert Levy, City Engineer, had devised a phasing program for the proposed facility which would involve the relocation of only one automobile dismantler during the initial five year period of the construction program; and the single dismantler who would be dislocated could be relocated elsewhere on the site. He then called on Mr. Levy to explain the proposed phasing program.

The Commission then received and responded to comments made by members of the audience including Wallace Wortman, Director of the Real Estate Department of the City and County of San Francisco; Stewart Sweetman, 1308 Phelps Street; Dorothy Sweetman, 1308 Phelps Street; Rev. Oscar Hollin, 1159 Gilman Avenue; Elouise Westbrook, 1715 Yosemite Street; Cozetta Bruce, 1445 Innes Avenue; Booker D. Blake, 2666 Thomas Avenue; Rev. J. A. Morgan, Minister of St. John Missionary Baptist Church; Edwin Watkins, 1534 Shafter Avenue; Rev. Victor L. Medearis, 731 Mendell Street; Betty Rader, 17 Alta Street; Harold Madison, 1250 Shafter Avenue; Benjamin Criwell, President of the Local Chapter of the NAACP; Richard Ross, 1795 Silver Avenue; Esselene Stancil, 2067 Palou Avenue; and Al Friedland, representing the Engineering Bureau of the Department of Public Works.

At the conclusion of the hearing, the Director recommended that the Commission adopt a draft resolution with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated April 10, 1975, concerning EE74.153 San Francisco Wastewater Master Plan, Implementation Program No. 2. Southeast Dry-Weather Expansion and Interim Bay Discharge is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find the project as proposed which is in itself an environmental facility, will have a significant effect on the environment, but recognizes that failure to construct the sewage plant would have an even more significant effect."

After further discussion it was moved by Commissioner Finn, seconded by Commissioner Porter, and carried 5-1 that the draft resolution be adopted as City Planning Commission Resolution No. 7315. Commissioners Finn, Fleishhacker, Mellon, Newman, and Porter voted "Aye"; Commissioner Ritchie "No". Commissioner Ritchie stated that he agreed with the first resolve of the resolution which found the Environmental Impact Report to be adequate, accurate, objective, and complete; however, he did not agree with the language of the second resolve which voiced the opinion that failure to construct the proposed sewage treatment plant would have a greater environmental impact than construction of the proposed facility.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At 4:30 p.m. President Newman announced a 15 minute recess. The Commission reconvened at 4:45 p.m. and proceeded with hearing of the remainder of the agenda.

Commissioner Ritchie was temporarily absent from the meeting room; and Commissioner Mellon was replaced by his alternate, Virgil L. Elliott.

CU75.13 - 4136 THIRD STREET, NORTHWEST CORNER OF INNES AVENUE.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING YARD;
IN AN M-1 DISTRICT.

(Postponed from meeting of April 3, 1975).

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 50 feet of frontage on 3rd Street, 490 feet of frontage on Innes Avenue, and 100 feet of frontage on Phelps Street for a total area of approximately 43,000 square feet. The applicant proposed to operate an automobile wrecking yard on the site. Existing buildings at 3rd and Innes would be cleared for customer parking; and a new 50 by 100-foot sales office and parts storage warehouse would be constructed west of that parking area. Automobile wrecking activities would take place within a 10-foot high solid steel fence which would be erected around the remainder of the property. In conclusion, Mr. Steele stated that an application involving essentially the same proposal had been filed by the applicant in 1972; and that application was disapproved by the City Planning Commission on September 7, 1972.

Joe O'Donoghue, representing the applicant, inquired if the individual members of the Commission had received copies of the statement which had been filed with the application by his client. After Mr. Steele had replied that the applicant's statement had been summarized in the case report which had been distributed to members of the Commission, Mr. O'Donoghue gave each of the member of the Commission a copy of the entire statement which had been submitted by his client. Mr. O'Donoghue stated that Mr. Steele had regarded the application which his client had previously submitted as inappropriate because the proposed automobile wrecking yard would be located only 100 feet from residential buildings, because it would be visible from Hunters Point, because the property is located within two blocks of a shopping center on 3rd Street, and because he believed that the development of an automobile wrecking operation on the subject site would result in a negative image for the area. However, it was his opinion that a person would need a pair of binoculars in order to see the subject site from Hunters Point; and he questioned how the proposed use could bring a "negative image" to an area which is already a disgrace to the City and County of San Francisco. While the city may have made plans for improvement of the area, those plans have never been implemented with dollars. Furthermore, his client was aware of the fact that automobile wrecking operations have been undesirable uses in the past; and he intended to conduct his business in a more attractive fashion. Mr. O'Donoghue felt that any new building which might be constructed on the subject site would help to beautify the neighborhood; and he emphasized that the proposed operation would provide jobs for the community. Under the circumstances, he felt

that his client should be permitted to remain on the subject property and to improve the character of his operation rather than being forced to move elsewhere. He stated that his client would be willing to take his plans for the proposed operation into the community for public comments and recommendations; and he felt that the Commission, as well as residents of the subject neighborhood, should recognize that automobile dismantling activities have experienced a transformation and that they can now be operated in such a way that their exterior appearance is little different from research facilities, for instance. When the Commission had disapproved the application which had previously been filed by his client, the Commission had seemed to be primarily concerned with the detrimental effect which open yards can have on nearby properties. However, he emphasized that the nature of automobile dismantling activities has changed during the interim; and, if objection were to be taken to the present application, he felt that more valid reasons for the objection should be offered.

Commissioner Fleishhacker remarked that Mr. O'Donoghue had inferred that the proposed automobile wrecking operation would be "enclosed". Yet, the application had indicated that a relatively small building would be constructed which would cover only a portion of the site. Apparently, the remainder of the property would remain vacant. Under the circumstances, he inquired about Mr. O'Donoghue's use of the word "enclosed". Mr. O'Donoghue replied that the remainder of the lot would be screened by a solid ten foot fence with a sloping half-roof; and, once the fence has been installed, no one would be able to see what goes on inside of the property unless they were viewing the site from a helicopter.

Mrs. Andrew Gallagher, representing the Southern Promotion Association, advised the Commission that the applicant had been one of the first automobile dismantlers to operate in the subject neighborhood. The Commission had previously rejected an application which had been filed by the same applicant; however, it had subsequently approved applications for individuals who had conducted businesses in the area for shorter of periods of time. She urged that the subject application be considered very seriously by members of the Commission.

Harold Brooks stated that the applicant had been involved in business on the subject property for quite some time; and he felt that approval of the subject application would be in line with the economic development plan which is being prepared for the subject neighborhood.

Lyle Hartman identified himself as a certified public accountant. He remarked that California, and especially San Francisco, has a very high rate of unemployment; and he indicated that minority people are most severely affected by the current unemployment problem. Although the operation being proposed by the applicant would not be in the "multi-million bracket", it would provide additional jobs and additional tax revenue for the city; and he felt that the application should be approved.

Elouise Westbrook, 1715 Yosemite Avenue, agreed that automobile wrecking operations are necessary and that they do provide jobs; but she did not feel that such activities should be located on Third Street, especially in view of the fact that the subject neighborhood has already been inundated with uses which other neighborhoods find unacceptable. She informed the Commission that neighborhood groups are trying to obtain \$60,000 to be used to undertake a study of the environment of Third Street; and she hoped that some of the vacant land along Third Street could eventually be developed with department stores and grocery stores. While she did not wish to drive automobile wreckers out of the city, she felt that a more desirable location for the proposed use would be on Newcomb Avenue where it is intersected by the freeway.

Ethyl Garlington, a resident of the Bayview District for 31 years, stated that she felt it was not appropriate for automobile wreckers to be located in her neighborhood.

Reverend Oscar Hollin, 1159 Gilman Avenue, remarked that Mr. O'Donoghue had described the subject neighborhood as a rundown area; however, in view of the fact that his congregation had recently constructed a new church at a cost of more than one million dollars on a nearby property, he felt that Mr. O'Donoghue's low regard for the neighborhood was unfounded. He stated that he had previously tolerated the applicant's operation on the subject property because the applicant was doing business in the area before the church was constructed. Nevertheless, the automobile wrecking activity, involving the storage of automobiles on city streets, had been unpleasant to live with; and he did not approve of the proposed expansion of the use on property fronting on 3rd Street.

Harold D. Madison, representing the Shafter Avenue Community Club, stated that his organization had supported some applications for automobile wrecking yards which were to be located at a considerable distance from any residential uses. The proposed operation presently under consideration, however, would be located too close to properties in residential use and too close to the beautiful new church which had been constructed by Rev. Hollin's congregation. Therefore, he urged that the subject application be disapproved.

At this point in the proceedings, Commissioner Ritchie returned to the meeting room and reassumed his seat at the Commission table.

Rev. Victor L. Medearis, representing the Bayview Baptist Ministers' Fellowship, stated that the members of his organization had collected more than 300 signatures in opposition to the proposed automobile wrecking yard. Furthermore, the ministers belonging to the Bayview Baptist Ministers' Fellowship had met last Saturday and had voted unanimously to oppose the application. Personally, he felt that the proposed use would be inappropriate on the subject property; and he suggested that it would be preferable for such uses to be located underneath the Southern Freeway.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be disapproved. He remarked that the proposed automobile wrecking yard would be located directly across Third Street, a distance of only 100 feet, from a pleasant, single family residential district; and he indicated that the yard would be very visible from many of the existing nearby residences as well as from the new housing being developed by the Redevelopment Agency. He remarked that the Third Street community shopping center, which is the focal point of community activities and commerce, is located only two blocks south of the subject site; and he noted that the community is attempting to improve the appearance of Third Street and to divert industrial traffic from the commercial strip. Automobile wrecking in an open yard on the subject site would tend to reduce the potential on adjacent properties for development with quality light industries or commerce which would be compatible with the existing residential development and commerce in the neighborhood; and the use would generate truck traffic on Third Street. In addition, location of an open automobile wrecking operation on the subject property would reinforce a negative image of Third Street development and would make implementation of the Third Street revitalization plans more difficult and tenuous. The proposed wrecking yard would comply with neither the development plans for the subject neighborhood indicated in the South Bayshore plan nor the guidelines for automobile dismantling which had previously been adopted by the City Planning Commission. Finally, he noted that substantial public opposition to the project had been demonstrated.

Mr. O'Donoghue asserted that the proposed operation would not be an "open yard" wrecking operation; and, contrary to remarks made by some of the individuals who had spoken in opposition to the application, the use would not occupy an entire city block. If the Commission were willing to take the matter under advisement for two or three weeks, his client would be willing to take his plans to the Bayview Baptist Ministers' Fellowship or to any other groups in the neighborhood which might be interested; and, if those groups should still be opposed to the proposal after reviewing the plans, the applicant would be prepared to withdraw his application.

Mr. Steele stated that the staff of the Department of City Planning would still recommend that the application be disapproved even if the plans were found to be acceptable by neighborhood groups.

Commissioner Fleishhacker stated that he would be unwilling to delegate the Commission's authority to neighborhood groups; and he emphasized that the Commission had previously established guidelines for the location of automobile wrecking yards, the most important of which was that such uses should not be located within 500 feet on any residential zoning district. He stated that he would have no objection to taking the matter under advisement if the applicant persisted in his request; but he felt that the meetings with neighborhood groups would be useless unless they were shown more detailed plans than those which had been submitted to the Commission.

Mr. O'Donoghue stated that more detailed plans are available in the offices of the applicant's architects.

The first of these is the fact that the Commission has not yet received the information it needs to make a final decision on the matter. The Commission has received a number of reports from the various sources it has contacted, but these reports are not consistent. Some of the reports suggest that the Commission's findings are correct, while others suggest that they are incorrect. The Commission is therefore unable to make a final decision on the matter at this time. The Commission is, however, continuing to investigate the matter and will make a final decision as soon as it has received the information it needs.

The second of these is the fact that the Commission has not yet received the information it needs to make a final decision on the matter. The Commission has received a number of reports from the various sources it has contacted, but these reports are not consistent. Some of the reports suggest that the Commission's findings are correct, while others suggest that they are incorrect. The Commission is therefore unable to make a final decision on the matter at this time. The Commission is, however, continuing to investigate the matter and will make a final decision as soon as it has received the information it needs.

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After further discussion it was moved by Commissioner Ritchie and seconded by Commissioner Finn that the subject application be taken under advisement for two weeks.

President Newman stated that he intended to vote against the motion since he did not feel that the subject property is an appropriate location for the proposed use.

Commissioner Fleishhacker stated that he intended to vote for the motion. However, unless residents of the neighborhood should decide that the proposed use would be desirable, his disposition was to vote for disapproval of the application when the Commission finally takes action on the matter.

Commissioner Porter asked if the staff of the Department of City Planning would have recommended that the application be disapproved if the applicant had proposed to conduct the operation within a totally enclosed building. Mr. Steele replied that the guidelines which had been previously adopted by the Commission for location of automobile wrecking activities had indicated that automobile wrecking activities within totally enclosed buildings would be considered on an entirely different basis than open automobile wrecking yards.

Commissioner Ritchie stated that he hoped that community leaders from the subject neighborhood would open their doors to the applicant if the matter were to be taken under advisement by the Commission.

When the question was called, the Commission voted 5-1 to take this matter under advisement until the Commission's regular meeting on April 24, 1975. Commissioners Elliott, Finn, Fleishhacker, Porter and Ritchie voted "Aye"; Commissioner Newman voted "No".

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

THE OFFICE OF THE SECRETARY OF THE ARMY
WASHINGTON, D. C.
JANUARY 1, 1900

TO THE SECRETARY OF THE ARMY
FROM THE SECRETARY OF THE ARMY

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, April 17, 1975.

The City Planning Commission met pursuant to notice on Thursday, April 17, 1975, in Room 282, City Hall, at 2:15 p.m.

PRESENT: Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Alec Bash, City Planning Coordinator; Alan Lubliner, Planner III; Robert Meyers, Planner III-Transportation; Alan Billingsley, Planner II; Ralph Gigliello, Planner II; Russell Watson, Planner II; Roger Foo, Jr., Management Assistant; and Marie Zeller, Acting Secretary.

Robert Bartlett represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the Board of Supervisors had upheld the Commission's approval of the Conditional Use for the Victoria Mews project by a 10-0 vote.

The Director reported that the Board of Supervisors had given final passage to the Subdivision Ordinance by a 9-1 vote, and that there was some indication the Mayor would veto the Board action.

The Director announced that the Plan Implementation Committee (Commissioners Fleishhacker, Porter and Rueda) will meet at 12:30 p.m. next Thursday, April 24, 1975.

The Director then introduced John Dearman, a Commissioner for the Metropolitan Transportation Commission, and Robert Meyers, Planner III-Transportation, who explained the responsibilities of the Metropolitan Transportation Commission (MTC) and how its responsibilities affect San Francisco. Mr. Meyers presented the following explanation of MTC:

"The purpose of this brief talk is to describe the functions of the Metropolitan Transportation Commission and to explain how their responsibilities affect San Francisco."

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At the conclusion of Mr. Meyers' comment, Dean L. Macris, Director of Planning, stated that he wanted the Commission to know about MTC especially with respect to funding.

Commissioner Finn pointed out that MTC is a planning organization and that it had done two studies, the Golden Gate Corridor Study and the Northwest Extension Study. Both of these studies were nearing an end and there would be public hearings on them.

Mr. Macris indicated that he would be speaking to the Chamber of Commerce the following day.

Vice President Porter announced that the Director of Planning had distinguished himself at the ASPO conference inasmuch he was the only one representing a major city which received HUD approval for the Community Development Program.

R75.7 - CHANGE IN SIDEWALK WIDTH: AUSTIN STREET, BETWEEN LARKIN AND POLK STREETS, FOR SCHOOL BUS LOADING PLATFORM, FROM 7 FEET TO 14 FEET.

Mr. Macris introduced Alec Bash, City Planning Coordinator, who presented the following report:

"The Director of Public Works has forwarded for Master Plan review a proposal to widen a portion of the sidewalk on the south side of Austin Street between Larkin and Polk Streets.

"The proposed change in the official sidewalk width would provide for a school bus loading platform to serve the Redding Grammar School, located on the north side of Austin Street. Austin Street presently has seven-foot sidewalks and a 21-foot roadway width; the proposal would widen the south sidewalk by seven additional feet to form a loading platform, approximately 55 feet in length as measured at the existing curb line, and commencing 202 feet east of Polk Street; the roadway width opposite the platform would be reduced to 14 feet.

"Austin Street, a one-way eastbound alleyway, presently has no parking on the north side, and is closed to traffic on school days from 8:00 a.m. to 10:00 a.m., 11:00 a.m. to 1:00 p.m., and 2:30 p.m. to 4:30 p.m.

"The Thoroughfares Plan of the Transportation Element of the Comprehensive Plan has as an objective 'Provide safe and pleasant space for pedestrians,' and has as a related policy 'Widen sidewalks where intensive commercial, re-

As the Commission is not a body of experts, it is not possible for it to make a final decision on the merits of the case. It is only possible for it to make a recommendation to the appropriate authority.

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creational or institutional activity is present.' The Austin Street sidewalk widening is in conformity with that objective and policy, as it would help ensure the safety of the school children as pedestrians and would provide a wider sidewalk where this intensive activity is present.

"It is recommended that the Director be authorized to report that the widening of a portion of the south sidewalk of Austin Street, between Larkin and Polk Streets, as shown in Bureau of Engineering Map Q-20-304, is in conformity with the Master Plan."

At the conclusion of Mr. Bash's report, Commissioner Rueda inquired as to whether this case were unique. Mr. Bash responded that there was an existing school there now; buses come in to Austin Street at the present time. The school wants to avoid cars speeding through the street when children are unloading.

Commissioner Rueda asked about "No Parking" signs. Mr. Bash responded that there is presently no parking on the north side of the street now, but the school felt this was not secure enough.

Dean Macris indicated that Austin Street is eastbound, the school is on the north, and children have to cross the street to board the bus.

Commissioner Ritchie was concerned about what would happen to traffic when there was no bus stop at the expanded sidewalk area, to which Mr. Bash responded that traffic would slow down.

Commissioner Finn indicated that there was a public garage on Bush Street and that the top floor of that garage was used as an auxiliary playground. Inasmuch as the children have to cross the street to get to that garage, this would be a safety measure.

Scott Shoaf, representing the Department of Public Works, indicated that there was a school bus loading zone now at that point where cars are not supposed to park and where they do not park, so the platform would not save parking spaces. He further indicated that the Polk Street merchants wanted that street open, but they would not agree to having the street closed.

After further discussion, Commissioner Finn moved, Commissioner Miller seconded, and it was unanimously passed 6-0 that the widening of a portion of the south sidewalk of Austin Street, between Larkin and Polk Streets, as shown in the Bureau of Engineering Map Q-20-304, is in conformity with the Master Plan.

EE75.20 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE REQUIRED FOR THE CONSTRUCTION OF 24 CONDOMINIUM RESIDENTIAL UNITS, WITH PARKING FOR 39 CARS, LOCATED ON THE EAST SIDE, 2300 BLOCK, OF HYDE STREET, LOT 22 IN ASSESSOR'S BLOCK 68.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), in introducing this item, read a letter from Gerson Bakar, co-owner with Alfred Wilsey of the subject property, in which Mr. Bakar requested that the hearing be postponed for one week, to allow him to meet with various neighborhood groups on Russian Hill to discuss and attempt to satisfy their concerns regarding the subject project. Mr. Steele indicated that a continuance could be made to May 1, 1975, on the 3:30 calendar.

Mr. Steele also noted that a letter had been received from Dr. Phillip Zimbardo, who wanted the hearing to proceed as scheduled.

The issue of a court reporter recording the proceedings on behalf of Montclair Terrace Association was discussed, and Vice President Porter made a ruling that the court reporter could remain on the condition that the City Planning Commission receive an exact copy of her report.

Vice President Porter announced that it has been the practice of the City Planning Commission to grant a continuance when one was first asked for. She added that it was also the practice of the City Planning Commission to hear any testimony from people who might not be able to attend subsequent hearings.

Commissioner Fleishhacker felt that the Commission should decide whether to continue the hearing after it had heard the testimony of the people who were there.

Gary Near representing Wilsey-Bakar, indicated that he and his clients were attempting to work out the details of the project with the area residents. He felt that the main question was whether a full EIR should be required, and if it were, he felt that it would be more efficient to take that up at the same time that the developers made their presentation.

Dean L. Macris, Director of Planning, pointed out that the Director of Planning, pointed out that the Director initially made the decision that there should be an EIR prepared for this proposed project and had taken into consideration the cumulative effects of the project and the fact that there was a substantial body of opinion which felt there could be a significant environmental effect.

REPORT OF A COMMITTEE OF THE BOARD OF
CITY PLANNING AND ZONING
AND THE BOARD OF THE CITY PLANNING
AND ZONING COMMISSION
ON THE
SUBJECT OF THE
ZONING OF THE CITY OF NEW YORK
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SPONSOR: BOARD OF THE CITY PLANNING AND ZONING
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REPORT: THE BOARD OF THE CITY PLANNING AND ZONING
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Commissioner Porter noted that Mr. Bakar had been before the Commission before and had traditionally worked well with citizens group. She asked Mr. Bakar if he would consider placating the people who wanted this EIR with the hopes that there would be no further delay.

Mr. Bakar responded that he had started out meeting with neighborhood groups and that he understood that something between 15 and 20 letters had been received, of which two-thirds were from people who had not attended any of the meetings. The reason he was requesting a continuance now was in order to contact those people he had not seen before in meetings. In addition, he felt that the requirement of an EIR would be costly in terms of the time element.

After considerable discussion, it was moved by Commissioner Ritchie and seconded by Commissioner Fleishhacker to grant a continuance of the hearing.

At this point in the proceedings, Mr. Bakar announced that he and his group would be glad to have the hearing today if they were granted a 10 minute recess.

Accordingly, Vice President Porter granted a 10 minute recess at 3:10 p.m.

At 3:20 p.m. Vice President Porter asked Mr. Bakar if he then would withdraw his request for continuance, to which he responded in the affirmative. Accordingly Commissioner Ritchie withdrew his motion and Commissioner Fleishhacker withdrew his second.

Ralph Gigliello, Planner II, referring to maps and renderings, summarized the reasons for the requirement of an EIR and for appeal of the EIR requirement on the proposed condominium project on Hyde Street.

Subsequently the Commission received testimony from members of the audience. Appearing for the developers were Alfred Wilsey, 999 Green Street, co-owner of the property; Gerson Bakar, 2510 Pacific Avenue, co-owner of the property; Karl Treffinger, 50 Green Street, architect for the project; Gary Near, 473 Jackson, counsel for the developers; and Mary Sutro, 2345 Hyde Street, nearby resident.

Commissioner Ritchie requested that a list of 17 names submitted by Mrs. Sutro be read into the record as people who supported the Bakar project. They are the following: Mr. & Mrs. Thomas C. Howe, 2709 Larkin Street; Mr. & Mrs. Charles La Follette, Larkin Street; Mrs. A.W. Gillette, 2615 Larkin Street; Mr. Peter Musto, 2644 Larkin Street; Mr. & Mrs. Daniel Ryan, 1112 Lombard Street; Dr. & Mrs. Benson Roe, 1090 Chestnut Street; Mrs. Francis Keesling, 930 Chestnut Street; Mr. & Mrs. Joseph Cochren, 1058 Chestnut Street; Mr. & Mrs. Oscar Sutro, 2345 Hyde Street; and Miss Francesca Howe, 2515 Larkin Street.

Presenting testimony for the opposition were Robert L. Henn, 115 Union Street, counsel for the Montclair Terrace Association; Dr. Phillip G. Zimbardo, 25 Montclair Terrace, President of the Montclair Terrace Association; Tom Williams, 2327 Webster Street, Berkeley representing the Golden Gate Audubon Society; Harvey M. Freed, 2351 Leavenworth; Mrs. Meri Jaye, 4 Montclair Terrace; Carolyn Shafer, San Francisco Ecology Center; and Stuart Bloom, 1695 North Point.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7316 be adopted stating the following resolve:

THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the proposed project could not have a significant effect on the environment, and orders issuance of a Negative Declaration by the Department of City Planning.

In a separate motion, Commissioner Fleishhacker moved that this matter be taken under discretionary review and that the staff of the Department of City Planning be instructed to be particularly concerned with matters of design, the preservation of the trees on the property, questions of archeological remains on the property, and other issues such as drainage, fire, and other safety precautions. He indicated that in this case, the staff should go a little further than normally would be required for a discretionary review situation.

Commissioner Miller then seconded the motion, and it was unanimously carried that discretionary review would be required in accordance with the above stated specific requirements.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,

Marie Zeller
Acting Secretary

MAY 21 1975

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~~SAN FRANCISCO~~
~~CITY PLANNING COMMISSION~~

~~Minutes of the Regular Meeting held Thursday, April 24, 1975.~~

The City Planning Commission met pursuant to notice on Thursday, April 24, 1975, at 100 Larkin Street at 1:00 p.m.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, and Thomas G. Miller, members of the City Planning Commission.

ABSENT: John Ritchie and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Alan Lubliner, Planner III; Edward Michael, Planner III; Alan Billingsley, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

1:00 p.m. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on May 1, 1975.

2:15 p.m. 100 Larkin Street

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that the Board of Supervisors had approved the placement of a measure on the November ballot which would allow use of park lands for the proposed Southwest Sewage Treatment Plant.

The Director informed the Commission that the Bay Conservation and Development Commission had adopted the Special Area Plan for the Northern Waterfront. Meanwhile, the Board of Supervisors is still reviewing the matter and has sent the plan back to its Planning, Housing and Development Committee.

At this point in the proceedings, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

The Director commented on the fact that no final settlement has yet been reached regarding plans for the construction of the proposed Yerba Buena Center.

The Director announced that he will be prepared to review the work program of the Department of City Planning with the Commission at its Regular Meeting on May 8.

Commissioner Fleishhacker stated that he had attended a meeting of the Advisory Committee of the San Francisco Planning and Urban Renewal Association where that organization's recent report on high rise construction in San Francisco was discussed. He stated that the report had not yet been adopted by the Board of Directors of SPUR; and it appeared that representatives of that organization would be contacting the Director of Planning to discuss the possibility that the Department of City Planning might become involved in the preparation of a plan for downtown San Francisco.

The Director remarked that President Newman had previously requested that time be set aside at one of the Commission's meetings to discuss the SPUR high-rise report and the reaction of the department to that report; and he indicated that he had intended to include that topic of conversation in the work program session which has been scheduled for May 8.

LM75.2 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE FRANK M. STONE HOUSE, 1348 SOUTH VAN NESS AVENUE, AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), described the architectural and historic characteristics of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark.

Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, distributed photographs of the interior of the house which had been made available by the owner of the building.

Malvina Casessi, Secretary to Dr. Krebs, occupant of the building, invited the members of the Commission to visit the property and view the interior of the house.

Dean L. Macris, Director of Planning, recommended that the proposal to designate the building as a landmark be approved.

President Newman expressed the Commission's appreciation to the owner for the manner in which the building had been preserved and maintained.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7317 be adopted and that the proposal to designate the Frank M. Stone house as a landmark be approved.

CU75.13 - 4136 THIRD STREET, NORTHWEST CORNER OF INNES AVENUE.
REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING YARD;
IN AN M-1 DISTRICT.
(UNDER ADVISEMENT FROM MEETING OF APRIL 10, 1975)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that this matter had been taken under advisement from the

meeting of April 10, 1975 in order to give the applicant an opportunity to show his plans to representatives of neighborhood groups. However, the staff had received a letter from Earl P. Mills, Chairman of the Executive Committee of the Bayview-Hunters Point Community Coordinating Council, stating that his group had not been contacted by the applicant and that it continued to be unalterably opposed to increased automobile wrecking activities on Third Street.

President Newman stated that he had received a letter from Mrs. Lennie Gaines, Coordinator of the McKinnon Avenue Residential Community Club, objecting to automobile wrecking uses in the M-1 district along Third Street. Mrs. Gaines suggested that such uses should be located in M-2 districts.

Mr. Steele stated that he had had difficulty in making contact with the applicant since this matter had last been before the Commission. However, he had been successful in contacting the applicant's attorney earlier in the day and had been advised that another two week extension would be requested since the applicant's architects had not yet completed plans for the proposed project. He noted that the Director had previously recommended that the application be disapproved because the proposed facility would not conform to the guidelines which had been adopted by the Commission for review of Conditional Use Applications for automobile wrecking yards. At that time, it had been the pleasure of the Commission to grant the applicant the courtesy of a two week continuance so that he would have an opportunity to show his plans for the proposed facility to representatives of neighborhood groups; however, it appeared that those plans had not yet been completed. Under the circumstances, it was the recommendation of the Director of Planning that no further continuance be granted and that action be taken to disapprove the subject application.

Joe O'Donoghue, Attorney for the applicant, confirmed that architectural plans for the project had not yet been completed; and, as a result, the applicant had not yet contacted any of the neighborhood organizations. Even though the staff of the Department of City Planning had recommended that the application be disapproved, he felt that it was important that representatives of groups in the neighborhood should have an opportunity to see the plans for the proposed development; and he therefore requested that another two week continuance be granted.

Norman Wadsworth, a resident of the neighborhood, stated that he is presently unemployed; and he felt that the application should be approved to provide more jobs and to lower the crime rate.

Mrs. Price, 721 Newhall Street, stated that she continued to be opposed to the proposed project.

Thomas J. Sims, 737 Newhall Street, stated that he, also, was opposed to the project.

Commissioner Fleishhacker noted that the Director of Planning had recommended that the subject application be disapproved; and, regardless of the sentiment which might be expressed by residents of the neighborhood after reviewing plans for the proposed facility, the facility would still not comply with the guidelines which had been established by the Commission for review of Conditional Use applications for automobile wrecking yards. The Commission had already postponed action on the matter for two weeks so that the applicant could attempt to persuade residents of the neighborhood that the proposed use would be desirable; however, his own opinion was that residents of the area could never be persuaded to endorse the project. Under the circumstances, he moved that the Commission proceed to take action on the matter during the present hearing. The motion was seconded by Commissioner Porter who stated that the physical design of the proposed facility had little relevance to the decision which would have to be made by the Commission. When the question was called, the Commission voted unanimously to proceed to take action on this matter during the present hearing.

Mr. Steele stated that it was still the recommendation of the Director of Planning that the application be disapproved.

Mr. O'Donoghue felt that the Commission should have given him further opportunity to familiarize residents of the neighborhood with plans for the proposed facility. He also remarked that Mr. Steele seemed to have a personal problem with the nature of automobile wrecking yards; and he stated that Mr. Steele had lied when he had indicated that the subject property is visible from Hunters Point.

Commissioner Finn objected to Mr. O'Donoghue's remarks and explained that Mr. Steele is a professional planner who had reviewed the subject application not from a personal point of view but in the light of guidelines which had been adopted by the Commission.

Mr. O'Donoghue stated that he, also, would object to an automobile wrecking yard being located adjacent to a residential neighborhood; however, he advised the Commission that the nature of automobile wrecking has changed and that automobile wreckers are now known as "automobile dismantlers". He felt that residents of the community should have the right to decide whether or not the subject application should be approved; and he believed that the Commission should have given him additional time to take the plans for the project to community leaders for their inspection.

Commissioner Porter observed that community organizations in the area seemed to be emphatically opposed to the proposed use.

Mr. O'Donoghue stated that he believed that residents of the neighborhood were opposed to the project because they mistakenly believed that the use would be similar to automobile wrecking activities which have taken place in the area in the past; and, since the Commission had not granted him additional time to show the plans for the proposed facility to the leaders of the neighborhood, he intended to appeal the Commission's decision on the matter to the Board of Supervisors.

Commissioner Finn inquired about the number of employees on the applicant's payroll at the present time and the number of jobs which would be available if the proposed project were constructed. Mr. O'Donoghue replied that his client presently has only one employee; however, if the proposed facility were constructed, a minimum of seven jobs would be available.

President Newman asked for a show of hands of individuals present in the meeting room in opposition to the subject application. Three individuals responded.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7318 be adopted and that the subject application be disapproved.

CURRENT MATTERS, CONTINUED.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), advised the Commission that he had refused to approve a Certificate of Occupancy for the new Pets Unlimited facility at 2343 Fillmore Street because city officials had not been permitted to perform satisfactory tests to determine whether conversion of the building has been accomplished in a manner which would meet the noise and odor emission standards established by the Commission in Resolution No. 6868 when it approved a Conditional Use application for the facility subject to certain specific conditions. His refusal to approve the Certificate of Occupancy had been contested by the developer; and he was seeking the advice of the Commission on this matter. He then asked Robert Passmore, Planner V (Zoning), to review the history of this case.

Mr. Passmore stated that the Commission had adopted Resolution No. 6868 on July 6, 1972, approving conversion of an existing building at 2343 Fillmore Street for occupancy by Pets Unlimited subject to eleven specific conditions. Conditions 2, 3, and 9 of that resolution were especially pertinent to the matter presently before the Commission. Those conditions read as follows:

- "2. Said building shall be converted in such a manner that the average sound level within the building will not increase the average exterior background noise level at any given time at the property line. The plans and specifications for said building, especially with respect to soundproofing of any rooms where animals except those anesthetized would be held or treated, shall bear the certification of an acoustical engineer acceptable to the Department of City Planning that said plans and specifications, if diligently followed, will achieve the above required level of sound transmission loss.
- "3. Plans and specifications for said building alterations shall comply with the requirements of the Department of Health of the City and County of San Francisco with reference to structures used

for the operation of a veterinary hospital and all requirements of said Department bearing upon the emission from the structure of any offensive odor. Such plans and specifications shall reflect in detail the means provided for controlling the emission of odor from such structure, and such means shall be adequate in all respects to prevent the emission of any offensive odor from such structure.

- "9. Following the completion of the subject building alterations pursuant to the provisions of this Resolution and continuously thereafter during the use of said building as a veterinary hospital, the building shall be so maintained and the business therein so operated that there be no emission therefrom of any offensive odor or noise which will not conform to the limitations of conditions 2 and 3 above. If the Planning Commission finds that there is reasonable ground for believing that this provision is not being complied with, it may require the owner of the subject premises to establish the fact of compliance at his own expense within 30 days after written notice to the owner or operator of said veterinary hospital; if such compliance can not be shown to the satisfaction of the Commission, the Commission may terminate this conditional use authorization within 30 days and continued operation of a veterinary hospital after that date will be deemed a violation of the City Planning Code."

Mr. Passmore stated that Pets Unlimited had filed a Building Permit Application for conversion of the building on April 13, 1974. That permit was approved in error by the Department of City Planning, and a permit was issued by the City on May 7, 1974. Later that month, residents of the subject neighborhood had called the Department of City Planning to ask whether the Building Permit Application had complied with the conditions contained in the Commission's Resolution; and, in reviewing the matter, the staff of the Department of City Planning determined that the applicant had not submitted sufficient materials to substantiate a claim that the conversion would comply with Condition No. 2 of the Commission's Resolution. Therefore, on May 21, 1974, the staff had written to the Superintendent of the Bureau of Building Inspection requesting that the permit be suspended to allow the staff of the Department of City Planning to conduct a proper review of the application. That same day, the staff had met with John Ford, a Director of Pets Unlimited, together with that organization's acoustical engineer, attorney, and contractor; and the staff had outlined the nature of the additional material which would be required for a satisfactory review of the application. By June 24, 1974, sufficient materials had been submitted to convince the staff that construction should be allowed to proceed; and the staff requested the Bureau of Building Inspection to notify the Department of City Planning when construction was completed so that the effectiveness of the acoustical treatment of the building could be verified. On July 8, 1974, Mr. Steele had written a letter to Mr. Ford outlining the nature of the tests which he felt would be appropriate, involving the use of a recording of barking dogs. On August 26, 1974, the staff had reviewed construction progress with Pets Unlimited's attorney and had determined that strikes by construction workers had delayed completion of the acoustical

treatment of the building. The files of the Department of City Planning indicated no further contact with Pets Unlimited until February, 1975, when Mr. Ford called to state that the building was ready for the acoustical tests. The tests were held on Saturday morning, February 15, with Mr. Steele in attendance. The following week the staff determined that the tests were unsatisfactory and indicated that new tests should be conducted with a source noise level of 99 decibels. However, the staff and representatives of Pets Unlimited were not able to reach agreement as to how and when the tests should be conducted or who should be present to observe them. On April 4, 1975, the staff of the Department of City Planning had written to the Department of Public Health for technical advice; and the response, dated April 9, 1975 indicated that the documents which had been supplied by Mr. John Finn, Acoustic Consultant for Pets Unlimited, failed to demonstrate that the acoustical treatment of the building would meet either the requirements of the Commission's resolution or the requirements of the City's Noise Ordinance, which is even more stringent; and the staff of the Department of Public Health concurred with the staff of the Department of City Planning in the opinion that additional tests should be conducted.

President Newman asked why the staff of the Department of City Planning had consulted with the staff of the Department of Public Health on this matter. Mr. Passmore replied that the Department of Public Health has responsibility for enforcement of the City's Noise Ordinance which became effective in October, 1973.

Commissioner Porter stated that she had voted against the Conditional Use Authorization for Pets Unlimited in 1972; but she believed that it was the intent of those Commissioners who had voted in support of the proposal that the facility should not be a neighborhood nuisance. She asked if other pet hospitals which had been authorized as conditional uses by the Commission had been effectively soundproofed. Mr. Passmore replied that the Commission had approved five conditional use applications for pet hospitals since 1960; and all of those facilities have been satisfactorily soundproofed. The problem with the Pets Unlimited facility is that the staff has received no satisfactory proof that the soundproofing of the building will be effective.

Commissioner Porter then asked if Pets Unlimited had been uncooperative regarding the additional tests which the staff felt should be performed.

Mr. Steele replied that he had been instructed to contact no one at Pets Unlimited except John Ford, Chairman of the organization's Building Committee; and Mr. Ford had refused to allow any more tests to be undertaken within the building. Although it was apparent that Mr. Ford was reticent about having inspectors from the Department of Public Health inside the building, health inspectors would have to be allowed on the premises if the organization wishes to obtain a kennel permit. President Newman stated that the Commission had received a letter from Arthur Andreas, a resident of the subject neighborhood, concerning the building presently under discussion.

Mr. Andreas, who was present in the audience, stated that he had done additional "homework" since writing the letter; and he requested an opportunity to address the Commission on this matter.

Commissioner Fleishhacker asked if a representative from Pets Unlimited was present. Mr. Steele replied in the negative, indicating that Mr. Ford had been in the offices of the Department of City Planning earlier in the day and had indicated that he might or might not come to the meeting.

Commissioner Miller asked if a representative of the Department of Public Health were present to comment on the matter under discussion.

Robert MacDonough, Inspector for the Bureau of Environmental Health Services in the Department of Public Health, stated that he felt that it would be very easy to determine whether the building has been constructed in a manner to meet the criteria specific in the Commission's resolution. It appeared that the engineers for Pets Unlimited may not have been aware of some of the criteria required by the City's Noise Ordinance; but he felt that that problem could be resolved with very little expense.

President Newman felt that it was clearly the charge of the Commission to make sure that the conditions contained in the resolution approving the conditional use for Pets Unlimited are honored.

Commissioner Fleishhacker stated that it was his personal suggestion that Mr. Steele should not issue the Certificate of Occupancy until additional tests have been made to determine if the acoustical treatment of the building satisfies the conditions which had been established by the Commission. He then moved that Mr. Steele be directed not to issue the Certificate of Occupancy until satisfactory tests have been performed leading to a determination that the building has been remodeled in such a way as to meet the noise standards which had previously been established by the Commission. The motion was seconded by Commissioner Miller.

Mr. Andreas stated that he represented a number of residents of the subject neighborhood, several of whom were present in the audience. At their own expense, they had hired an odor engineer and an acoustical engineer, both of whom had examined the building and the plans for the proposed conversion. He did not believe that Condition No. 2 of the Resolution which had been adopted by the Commission in 1972 adequately expressed the intent voiced by members of the Commission during the public hearing on the conditional use application; and, even if the criteria established by that condition were satisfied, the building would still be in violation of the City's Noise Ordinance. He stated that Commissioner Fleishhacker had promised him that the intention of the Commission was that the proposed use should result in no emission of odors or of noise above the ambient level of noise at the property line; and he felt that the Commission should honor that promise. His definition of "ambient level of noise at the property line" was that sound level which exists during the quietest hours of the day, namely the early morning hours.

Commissioner Miller felt that a representative of Pets Unlimited should be present if the Commission were going to embark on a public hearing on this matter. President Newman responded that the Commission was not holding a public hearing; and he noted that Mr. Ford, the Chairman of Pets Unlimited's Construction Program, had been notified that the matter would be discussed during the Commission's meeting.

Commissioner Porter observed that the Commission, in considering the Conditional Use Application for Pets Unlimited, had been faced with a decision between pets and people; and she noted that the Commission had taken the position that the neighborhood should be protected against noise and odors from the proposed facility. As Zoning Administrator, Mr. Steele has legal responsibility for enforcing conditions established by the Commission; and, since his determination that the tests which had been performed were not sufficient to guarantee that the building would meet the standards which had been established by the Commission had been challenged by the applicant, he was requesting the Commission to give its support to the position which he had taken. Therefore, the Commission was merely having a public discussion with Mr. Steele concerning the matter and was not holding a formal public hearing.

Mr. Andreas stated that the acoustic consultant whom he had hired had determined that the ambient noise level at the property line of the subject site is 41 decibels; and the barking of disturbed dogs could have a noise level of 120 decibels. Under the circumstances, the building would have to be fitted with materials capable of absorbing 80 decibels of sound in order not to increase the ambient level of noise at the property line. He stated that he had also hired an expert in the field of odor design who had reviewed plans for the remodeling; and that consultant had found that the plans would in no way protect the adjacent residential neighborhood from odor problems, especially since three fans would be installed in the Washington Street wall of the building which would ventilate directly from the holding room. Furthermore, the ceiling vents in the facility would be inadequate to filter the odors. After the Commission's hearing on July 6, 1972, Commissioner Fleishhacker had stated that it was the Commission's intention that the facility should emit no sound or odors; and he was convinced that the facility, as planned, would not meet those standards.

Commissioner Fleishhacker stated that he felt that he was being misquoted by Mr. Andreas since it would be impossible to design the facility in such a way that no odors or sound would be emitted; and he believed that what he had actually said was that it was the intent of the Commission that the facility should be designed in such a way that no offensive odors or disturbing noises would be emitted.

Commissioner Miller noted that Condition No. 3 of the Resolution which had been adopted by the Commission stated that the facility should be designed in such a way as to prevent the emission of any "offensive" odor from the structure.

Commissioner Finn remarked that the conditions which had been adopted by the Commission were stated in layman's language rather than technical language; but he felt that the intent of the Commission was nevertheless clear. Contrary to the remarks which had been made by Mr. Andreas, ambient noise levels can change during the course of a day; and what is ambient at 3:30 a.m. is not necessarily ambient at other hours of the day. Because the field is highly technical, he intended to be guided by the official reports of officers of the City and County of San Francisco and not by the reports of private engineers hired by Pets Unlimited or by residents of the neighborhood. While he could understand why Pets Unlimited might have been reluctant to allow private engineers into their building to conduct or observe tests, he could not understand why inspectors from the Department of Public Health, who have a right to enter private premises, had been refused access to the building.

President Newman stated that it had been his intention, and he believed it to have been the intention of other members of the Commission in 1972, that the transfer of a disturbing use presently located on Sacramento Street to the subject on Washington Street would be totally avoided by the design of the new facility; and he also was of the opinion that residents of the subject neighborhood would be involved when tests were conducted to determine if the building is adequately soundproofed.

Commissioner Porter stated that she had voted against the Conditional Use Application for Pets Unlimited because of the juxtaposition of the building and a very fine residential neighborhood. In addition, she had voted against the application because of Pets Unlimited's record of failing to cooperate with its neighbors and the City Planning Commission in solving problems at its present location.

Dean L. Macris, Director of Planning, stated that he had asked Mr. Steele to bring this matter before the Commission for discussion because the staff had reached a stalemate in its dealings with Mr. Ford; however, he assured the Commission that the staff would assume responsibility for carrying out the intent of the resolution which had previously been adopted by the Commission.

President Newman asked if adoption of the motion presently before the Commission would give Mr. Steele sufficient guidance to assure that the building will conform with the intent of the Commission's previously adopted resolution before the Certificate of Occupancy is issued. Mr. Steele replied in the affirmative, indicating that he would rely on the advice of experts in the Department of Public Health who had indicated that they could confirm whether the building meets the standards specified in the Commission's resolution with relatively simple tests.

Commissioner Miller asked what Mr. Steele would do if the representatives of the Department of Public Health were satisfied with the tests but if Mr. Andreas and his engineers continued to remain unsatisfied. Mr. Steele replied that he would then issue the Certificate of Occupancy with the knowledge that Condition No. 9 of the Resolution which had previously been adopted by the

Commission would enable residents of the neighborhood to file a protest with the Commission; and, if the Commission should determine that offensive odors or noises are being emitted from the building, the conditional use authorization could be voided.

Commissioner Porter, noting that Pets Unlimited had not wished to be represented at the present meeting, asked if a letter would be sent to them advising them of the Commission's action on the matter. The Director replied in the affirmative, indicating that copies of the letter would be sent to each member of the Board of Directors of Pets Unlimited.

Mr. Andreas indicated that he had spoken with Mr. Ford earlier in the day in his office; and he stated that he had been threatened by Mr. Ford during the meeting. He also remarked that Mr. Ford had previously threatened other residents of the neighborhood who have had occasion to talk to him. He stated that he would prefer that the private consultants that he had hired be present when tests are conducted within the building so that he could have the benefit of their expert conclusions; and he hoped that the Commission would be willing to facilitate that request.

Commissioner Finn remarked that responsibility for enforcement of the law rests with city officials who have a legal right to enter private buildings; and he felt that Mr. Andreas would be wise to keep his engineers away from the Pets Unlimited building.

Mr. Andreas stated that he and his consultants had been invited by Mr. Steele to be present at the tests.

President Newman stated that it was the original intention of the Commission that residents of the neighborhood should be involved in discussions concerning the acoustical treatment of the building since they have a real interest in the matter, even though their interest may not be legal in nature; and he stated that he would not have voted to approve the conditional use application if he had not felt that the neighborhood would be protected by the law.

Commissioner Miller stated that he shared the sentiments which had been expressed by President Newman; and he indicated that he was concerned about the apparent non-cooperation of Pets Unlimited. Therefore, he proposed an amendment to the motion on the floor which would provide that the results of the tests should be made available to residents of the neighborhood for review by their consultants before the Certificate of Occupancy is approved so that residents of the neighborhood could request a public hearing before the Commission if they were not satisfied by the results of the tests.

Commissioner Fleishhacker accepted the amendment of the motion as suggested by Commissioner Miller. He also remarked that Commissioner Finn was correct in suggesting that it would not be appropriate for the consultants of the neighborhood residents to enter the premises of the Pets Unlimited building for the purposes of making tests.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

1962-1963

PHYSICS 311

LECTURE NOTES

BY

ROBERT H. LIFSHITZ

AND

LEONID P. PITAEVSKI

CHICAGO, ILLINOIS

1963

Mr. Steele asked if the Commission's motion could also specify that the minutes of the present meeting should be sent to the Board of Directors of Pets Unlimited so that the entire organization is aware of the Commission's action and the reasons for that action. The Commission agreed that minutes of the meeting should be sent to each of the members of the Board of Directors of Pets Unlimited.

When the question was called, the Commission voted unanimously to approve the motion as amended.

At this point in the proceedings, President Newman absented himself from the meeting room for the remainder of the meeting. Vice President Porter assumed the chair.

Alan Lubliner, Planner III, summarized alternate long-range plans which have been prepared for the Golden Gate Bridge District for its bus and ferry system. He stated that a series of public hearings will be held on the plans; and he indicated that the staff will be asking the Commission to take a policy position on this matter. At the conclusion of the presentation, he responded to questions raised by members of the Commission.

The meeting was adjourned at 4:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 1, 1975.

The City Planning Commission met pursuant to notice on Thursday, May 1, 1975, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Wayne Rieke, Planner IV (Zoning); Alan Lubliner, Planner III; Moira So, Planner III; Alan Billingsley, Planner II; Dave Fulton, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, stated that preparation of the recently approved Community Development Application and Housing Assistance Plan had required the identification of areas of the city where there are concentrations of minority people. That Federal requirement was included in the process so that communities would have the basis for formulating local policies designed to avoid concentration of minority people, but especially to avoid further concentration of lower-income people. For that reason and others, the staff of the Department of City Planning had prepared a report tabulating the distribution of San Francisco's population by ethnic group and census tract based on 1970 census data; and he distributed copies of that report to members of the Commission.

The Director informed the Commission that the Department of City Planning had won three awards for publications from the Northern Section of the California Chapter of the American Institute of Planners. The Community Safety Element of the Comprehensive Plan and the publication entitled "Tree Planting In Neighborhoods" had both won awards of merit. A third publication, Traffic In Neighborhoods, was given an honorable mention. The Director also reported that the Community Safety Element is scheduled to receive an award of merit and that the

MAY 1, 1975

report on tree planting in neighborhoods is scheduled to receive an award of recognition from the California Chapter of the American Institute of Planners next Saturday.

The Director continued his report, as follows:

"Next week the residential zoning study staff will complete the brief neighborhood issues papers that were briefly described to the Commission some time ago, and were requested by neighborhood representatives as background to be considered in the Residential Zoning Study. These papers, one for each of the 15 community planning areas that collectively cover the entire city, summarize the issues that interest groups and individuals in each area have brought to the attention of the staff. These issues, along with existing Master Plan policies, were the basic material from which the objectives and policies for the Residential Zoning Study submitted to the Commission in March were developed. The issues papers do not state a staff position on any of the issues raised. Also, the Papers note that, although we believe the listing of issues to be reasonably complete, there may be other issues and differences over the issues that are not adequately reflected in the present papers; therefore the department will welcome additional comments by interest groups and individuals. The papers will be mailed to each of you for your information and use, but no formal action on the papers is suggested. A progress report on the study will be presented to the Commission on May 15.

"Next week the issues papers will be distributed to neighborhood organizations and others who have expressed an interest in the study."

President Newman remarked to members of the press who were present that it is very important that the public be made aware that the neighborhood issues papers are available and that comments on the papers will be welcomed.

The Director noted that he had recently reported to the Commission that the William C. Haas Company has filed suit in Federal Court against the State of California, the State Courts and various City agencies, challenging the application of the California Environmental Quality Act to its project on Russian Hill. More recently, the company had also filed an action against the State and the City for damages, claiming inverse condemnation and citing all its expenses to date on the project. With those expenses, plus loss of use, loss of profit and anticipated future losses, the total claim comes to \$9,256,716.32. As with the other action, this one is being handled by the Attorney General and the City Attorney.

Commissioner Ritchie requested that each member of the Commission be sent a copy of the claim.

The Director continued his report with the following statement:

"Pursuant to the ordinance recently passed by the Board of Supervisors, the Board will soon consider appointments it is to make to the 23-member Open Space/Park Renovation Citizens Advisory Committee. This committee will assist this Commission and the Recreation and Park Commission in implementation of Proposition J.

"The ordinance provides that in making appointments the Board shall consult with the staffs of the Recreation and Park Department and this Department, and with both Commissions, as well as with persons and organizations interested in neighborhood recreation, parks and open space programs. Appointees are to be selected because of their proven training or experience in recreation, parks and open space programs, or their recognized contribution to organizations concerned with said programs, or their identification with organizations devoted to neighborhood improvement. All must be residents of the city, and they must be broadly representative of the various community and business interests in San Francisco.

"If the members of the Commission have any suggestions of names for this citizens committee, I would appreciate having those suggestions conveyed to me either today or tomorrow, so that they can be conveyed to the Board for its consideration."

The Director announced that the City-wide Comprehensive Plans Committee scheduled for next Thursday will be cancelled.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), made the following report:

"On January 27, 1975 I (the Zoning Administrator) sent notice to the two major companies with general advertising signs affected by Section 609.4 of the City Planning Code, (and some 20 others) that those signs and their supporting structures be removed prior to November 21, 1975 as required by the code. This notice was particularly directed toward 29 signs (Freeway Billboards) owned by Foster & Kleiser Company and 21 signs owned by Eller Inc.

"On April 30, 1975, Paul M. Hupf, Esq. filed an application for a Variance from the provisions of Section 609.4 on behalf of Foster & Kleiser Company and Eller Inc. seeking relief from the strict application of the code. The variance does not seek any specific modification of the removal date but rather questions the validity of the code provisions.

"I am seeking the City Attorney's advise as to whether this application may be accepted under Section 305 (a) of the Code which describes the circumstances where a variance may not be granted and where the proper administrative remedy lies elsewhere.

"This application, much to my dismay, would seem to be a breach of good faith in light of the efforts this Department, the City Planning Commission and the Board of Supervisors have made to work out an equitable solution for the outdoor advertising business problem. Many of the arguments of inequity used to foster the case are the result of compromises which, we believe, were derived from a conscious effort to attain a rational and reasonable ordinance which permits the retention of these signs for a 10 year period. It should be noted the Board of Supervisors did exempt the section of the Freeway from the Bay Bridge to the vicinity of 13th Street thereby allowing retention of a number of major billboards."

Mr. Steele advised the Commission that a fairly sizeable number of environmental review cases are expected during the months of June and July; and, in order to expedite the handling of some of those cases, he recommended that the Commission authorize the Environmental Review Officer to hold preliminary hearings on three Environmental Impact Reports for an apartment development at 4050 17th Street, the North Point Sewage Outfall Consolidation proposal, and for five apartment buildings on 10th Avenue between Lincoln Way and Irving Street. After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Selina Bendix, Environmental Review Officer, be authorized to hold preliminary hearings on the three Environmental Impact Reports and that those hearings be continued to a date to be set before the City Planning Commission for additional review and action.

Commissioner Fleishhacker reported that he had taken a bus trip to San Jose last Friday with city officials and a few representatives of the South Bayshore area to see a newly constructed sewage treatment plant. He stated that a similar facility is being constructed in Oakland near the Bay Bridge in case other members of the Commission were interested.

The Director stated that another bus trip will be scheduled to San Jose in the near future for other members of the Commission and members of the Board of Supervisors. He also indicated that the Department of Public Works will be asking the Board of Supervisors to adopt a policy statement concerning the proposed location of San Francisco's new Southeast Sewage Treatment Plant.

President Newman remarked that sewage treatment plants are being "undergrounded" in other communities; and he urged that the feasibility of "undergrounding" the proposed Southeast Sewage Treatment Plant be thoroughly evaluated. The Director replied that meetings would be held with representatives of the Department of Public Works, the Real Estate Department, the Mayor's Office, and the Department of City Planning to discuss all of the options available; and information concerning the options and the various costs involved would be made available to the City Planning Commission and the Board of Supervisors.

CU71.42 - 210, 222 and 240 SANSOME STREET, EAST LINE,
44.1 FEET NORTH OF PINE STREET.

REQUEST FOR EXTENSION OF AN AUTHORIZATION
FOR A PARKING LOT ORIGINALLY APPROVED FOR
A PERIOD OF FOUR YEARS; IN A C-3-0 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the Robert Dollar Company had intended to undertake a unified development of the block in which the subject property is located. However, because of present economic conditions, the firm had deferred the unified development; and it had requested that authorization for the interim parking lot be extended for five additional years. Mr. Steele remarked that the lot has been developed in a harmonious manner with surrounding properties and the street frontage; and, in addition, the lot provides public amenities. He stated that substantial changes can be expected in the downtown core area within the next three years with the opening of the Embarcadero BART Station, substantial implementation of the Municipal Railway Transit Program, and the construction of numerous major office developments; and the Parking Management Study, currently underway, will assess the impact of those various changes. Given those factors, the Director felt that it would be appropriate to continue the existing parking lot for a restricted period of time; and the recommendation was that the conditional use authorization be extended for three years. At the end of that time, the matter could be reevaluated by the Commission.

A representative of the Robert Dollar Company, stated that the three year authorization would be acceptable providing that the Commission would be willing to reevaluate the situation at the conclusion of that time period.

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WILL BE.

President Newman stated that communications had been received from the Bank of Nova Scotia, San Francisco Beautiful, the Trans-america Title Insurance Company, the Bank of Montreal (California) and the Sumitomo Bank of California in support of the proposal to extend the authorization for the parking lot.

No one was present to speak in opposition to the proposal.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7319 be adopted and that the conditional use authorization for the parking lot be extended for three years.

CU74.50 - BELLE AVENUE, SOUTH LINE, OPPOSITE CHESTER AVENUE, AND ST. CHARLES AVENUE, WEST LINE, 66.67 FEET SOUTH OF BELLE AVENUE.

REQUEST FOR AUTHORIZATION FOR A 250 SPACE PARKING LOT, PARTLY IN SAN FRANCISCO AND PARTLY IN DALY CITY; IN AN R-1 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is a triangularly-shaped site approximately 23,750 square feet in area having a 37.50-foot frontage on Belle Avenue and a 15.31-foot frontage on St. Charles Avenue. One of the subject lots is vacant; and the other lot is occupied by a vacant single-family dwelling. The applicant, the City of Daly City, proposed to develop a parking lot for 250 vehicles utilizing the properties located in San Francisco and approximately 58,800 square feet of property located in Daly City. Ingress and egress would be provided to St. Charles Avenue via a single lane driveway which would be one-way into the lot in the morning and one-way out of the lot in the evening. In addition, a locked emergency driveway would be provided onto Belle Avenue, requiring the demolition of the unoccupied single-family dwelling. The application had requested authorization for the parking lot for a period of five years for commuters using BART. The existing BART-owned parking lot will be disrupted by a two phase parking garage construction project which will provide an additional 800 parking spaces by early 1977. An Environmental Impact Report for the proposed parking lot had been prepared and certified by the Daly City Planning Commission. However, the final impact report had not responded to some of the comments made by the staff of the San Francisco Department of City Planning on the draft; and a memorandum expressing the staff's concerns had been sent to individual members of the Commission.

Victor Kyriakis, Mayor of Daly City, felt that approval of the proposed parking lot would be important not only to Daly City but also to San Francisco since it was intended to alleviate some on-street parking congestion in both communities. While he acknowledged that use of public transportation to BART Stations should be encouraged, he observed that not all San Francisco and San Mateo County commuters have access to public transportation which will deliver them to BART Stations. He stated that Daly City is contributing \$300,000 towards construction of the new parking garage at the Daly City BART Station which will double the amount of parking available. However, during the construction project, approximately one-half of the parking spaces now available will be closed. As a result, the proposed parking lot was intended as a temporary use which would compensate for the parking spaces which are to be lost during the construction project. The facility was not regarded as a final solution to the traffic problems which had been associated with the Daly City BART Station; but it was hoped that the new bus transit system which the electorate of San Mateo County had voted to establish would eventually provide a solution to those problems.

David Rowe, City Manager of Daly City, informed the Commission that BART had made a license plate survey of the Daly City station parking lot and the surrounding neighborhood and had found that 15 percent of the automobiles using the parking lot were from San Francisco while 20 percent of the automobiles parked on adjacent streets were from San Francisco. Under the circumstances, it was evident that the interim parking lot being proposed would serve people from San Francisco as well as people from San Mateo County. He stated that the new parking structure to be built at the Daly City station will cost \$6,500,000; and those costs are being shared by Daly City, the Federal Government, and BART. Use of the subject properties for a 250 car parking lot would further decrease the total number of commuter miles traveled by 4,000 miles per day.

Commissioner Fleishhacker stated that he was particularly concerned about the proposed means of access to and egress from the proposed parking lot. He remarked that the Environmental Impact Report had not indicated that any alternate entries or exits had been considered; and he wondered if any attempt had been made to investigate the feasibility of alternate entry and exit routes.

Mr. Rowe replied that the original application had called for two driveways to the lot to be used for entry in the morning and for departures in the evening; however, in discussion with the staff of the San Francisco Department of City Planning, the suggestion had been made that the Chester Street driveway be closed except for emergencies.

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The application had been amended accordingly. The only other alternate entries to the site would be from the west or southwest from on-and off-ramps for the Freeway; but the State had indicated that it would not permit access to the lot from its property. The State had, however, offered to give an encroachment on its land so that the driveway on St. Charles Avenue could be widened.

Commissioner Fleishhacker remarked that the State was probably reluctant to authorize access to the lot from its Freeway ramps because of the safety factor involved; but he observed that many of the State's solutions to its own problems involve potentially hazardous situations on a temporary basis.

Commissioner Ritchie stated that he appreciated the logic of Daly City's proposed use of the vacant parcel of property. However, he was concerned about the effect which the parking lot would have on the adjacent residential area; and he wondered what effect Mr. Rowe felt that the proposed parking lot would have on the nearby homes.

Mr. Rowe felt that the most significant effect of the parking lot would be the visual impact which it would have on homes which abut the subject property; but shrubbery would be installed and maintained to screen those homes from the parking lot. The parking lot would also result in an increase of traffic through the residential neighborhood during the early evening hours; but the lot should lessen the amount of morning traffic since fewer drivers would be circulating looking for parking spaces.

Commissioner Ritchie remarked that the residential area is already surrounded by major arterials. Nevertheless, the homes are exceptionally well maintained. If the subject lot were to be used as a parking lot, however, he felt that it would have a blighting effect which would eventually ruin the residential neighborhood.

Mr. Rowe felt that a well screened parking lot for 250 automobiles would have less of a negative impact on the neighborhood than construction of the multiple-unit dwellings which had already been approved for the site.

Commissioner Ritchie asked if the proposed parking lot would be illuminated at night. Mr. Rowe replied in the affirmative but indicated that he was not aware of any objections having been made to the lighting by residents of the area. The most significant area of concern seemed to be the problem of on-street parking in the neighborhood.

Commissioner Rueda asked if any consideration had been given to establishing a one-way street pattern in the subject neighborhood. Richard Evans, representing the Traffic Engineering Bureau of the Department of Public Works, replied in the affirmative and indicated that it was likely that a one-way street pattern would work better from a traffic standpoint. However, one-way street patterns are often objected to in residential neighborhoods; and the Department of Public Works would not establish such a traffic pattern unless it were requested to do so by residents of the neighborhood. He also observed that a one-way street pattern in the neighborhood presently under consideration might make access to the area more difficult.

President Newman asked if the applicants were requesting authorization for the parking lot only until such time as the new parking garage is completed. Mr. Steele replied that Daly City has a five year lease on the property and had requested a five year authorization for the proposed parking lot. Construction of the new garage will be completed in approximately two years. Relative to the discussion of a one-way street pattern in the subject neighborhood, he noted that the neighborhood can be entered from Alemany Boulevard to the south only by way of St. Charles Avenue; and, as a result, establishment of a one-way street system would result in access problems.

President Newman stated that the Commission had received a letter from the Board of Supervisors of San Mateo County dated January 9, 1975, which contained the following paragraphs:

"In communicating support of the Daly City application to the San Francisco Planning Commission, the Board realizes that additional off-street parking is needed to accommodate those wishing to board BART at the Daly City terminus station. However, the Board also appreciates the rights of those individuals who reside along Belle Avenue in San Francisco. These families would be greatly inconvenienced if their street were to be used as an access road for this parking lot.

"The City and County of San Francisco has a policy whereby they provide no off-street parking for BART stations within San Francisco; this policy being adopted in an attempt to encourage riders to use the feeder system. Daly City and San Mateo County, however, have no adequate feeder system serving the Daly City BART station and, for this reason, it is necessary for BART riders to use their automobiles.

"There is a project under design at this time to construct a three or four tier addition to the existing parking structure at the Daly City BART station. This addition would increase the parking capacity from 800 to approximately 1600 spaces. The construction will cause some of the existing 800 spaces to be lost; however, once construction is complete, it should alleviate much of the parking problem that Daly City is experiencing at this time.

"The Board of Supervisors of San Mateo County recommends that this use permit be approved for a temporary period and that the period would expire upon completion of the additional parking structure now under design for the Daly City BART station."

President Newman then asked Mr. Rowe to comment upon the San Mateo County Board of Supervisors' recommendation that the conditional use authorization for the parking lot expire when the parking structure is completed.

Mr. Rowe replied that it is quite likely that the garage expansion will consist of two phases. The first phase may be completed within two years while the second phase may take five or even ten years to complete. Under the circumstances, he felt that a fixed time limit of five years for the temporary parking lot would be more appropriate than an authorization for an indefinite period of time related to the completion of the garage's construction. He also remarked that plans for the proposed parking lot had been changed since the letter from the San Mateo County Board of Supervisors was written to close the Belle Avenue driveway except for emergency situations; and, in addition, San Mateo County voters had approved establishment of a new bus transit system during the interim period.

President Newman stated that communications in support of the proposed parking lot had been received from the County of San Mateo, the town of Colma, the City Manager of San Mateo, the Pacifica City Council, the Daly City Chamber of Commerce, the Mayor of Burlingame, the City Council of Menlo Park, San Francisco Supervisor Quentin Kopp, the City of Pacifica, the President of the Board of Directors of BART, the Mayor of San Bruno, the City of South San Francisco, George C. Mergens, of 25 Belle Avenue, and Mr. and Mrs. Melani of 21 Belle Avenue. In addition, 24 residents of the subject neighborhood had signed a petition in support of the application. A letter in opposition to the proposal had been received from Mrs. H.M. Powell of 275 St. Charles Avenue; and 55 residents of the subject neighborhood had signed a petition in opposition to the application.

The first part of the report is a general statement of the work done during the year. It is followed by a detailed account of the various projects and the progress made on each. The report then discusses the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The second part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The third part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The fourth part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The fifth part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The sixth part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The seventh part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The eighth part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

The ninth part of the report is a detailed account of the various projects and the progress made on each. It is followed by a discussion of the results of the work and the conclusions drawn from them. Finally, it contains a list of references and a list of names of the people who have contributed to the work.

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Commissioner Rueda moved that a letter be addressed to the San Mateo County agencies which had written in support of the application stating that the Commission was appreciative of their interest in the proposed parking lot but that the Commission looks forward to the day when they will approve an extension of the BART system to Santa Clara County. The motion was seconded by Commissioner Finn.

Commissioner Fleishhacker asked if Commissioner Rueda would be willing to amend his motion to specify that it was the Commission's hope that San Mateo County would approve an extension of BART or a satisfactory alternative. Commissioner Rueda replied in the negative, stating that he felt that stopping BART at the San Francisco County line was a waste of the tax payers' money.

Commissioner Ritchie felt that it would be impolite for the Commission to send the letter proposed by Commissioner Rueda; and he suggested that the issue of extending BART should be discussed later at a more appropriate time.

Commissioner Finn felt that Commissioner Rueda's suggestion was timely and that it took advantage of a "golden opportunity" which should not be ignored. In his opinion, it would be desirable to achieve completion of the original BART concept; and he believed that the letter should be sent.

When the question was called, the Commission voted 5-1 to request that the letter be prepared. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "Aye"; Commissioner Ritchie voted "No".

President Newman noted that eight individuals had signed both the petition in support of the subject application and the petition in opposition to the application.

John Skou, 51 Belle Avenue, stated that winds from the south blow gravel and dust from the BART parking lot into the subject neighborhood; and he asked if the proposed parking lot would be paved. After Mr. Kyriakis had replied in the affirmative, Mr. Skou advised the Commission that alternate access to the proposed parking lot could be obtained from Junipero Serra Boulevard; and he felt that such an access route would be preferable to the one proposed.

George C. Mergens, 25 Belle Avenue, agreed with Mr. Skou that it would be feasible to provide access to the proposed lot from Junipero Serra for automobiles traveling from the south. In addition, he felt that it would be possible to widen the driveway by the overpass so that it could accommodate two-way traffic in the mornings and one-way out-bound traffic in the evenings. With those plan changes, and with effective traffic control, he believed that the proposed parking would

be acceptable. He also advised the Commission that he had appeared before the Daly City Planning Commission when a representative of BART was present to suggest that BART open up its corporation yard for public parking until the yard is needed for other purposes; but BART had made no response to that proposal.

John Melani, 21 Belle Avenue, stated that he would be in favor of the proposed parking lot only if the exits and entrances were designed as proposed by Mr. Mergens and Mr. Skou. He acknowledged that he had signed the petition opposing the parking lot as well as the one favoring it because he believed that a lot is needed but that the design of the facility could be improved.

President Newman asked Mr. Steele if he felt that the suggestions offered by Mr. Skou and Mr. Mergens would be feasible. Mr. Steele doubted that direct access to the lot from Junipero Serra Boulevard would be feasible; but he believed that it might be possible to widen the easterly driveway if permission to use State property were obtained.

Mr. Evans stated that entrance to the lot from the southwest would require construction of an extensive retaining wall; and he felt that such an access route would also involve safety problems. With regard to the issue of widening the easterly driveway, he remarked that the street at the north end of the bridge is quite narrow; and, traffic control would be quite difficult at that point unless an officer were on duty.

Commissioner Ritchie recalled that buildings had been removed from four or five blocks between Los Banos Avenue and Knowles Avenue in Daly City; and he wondered why those unimproved lots could not be used for public parking until such time as the new BART garage is completed. If that approach were taken, there would be no need to develop a parking lot on the subject property.

Mr. Rowe replied that the properties which had been mentioned by Commissioner Ritchie have been developed as the right-of-way of John Daly Boulevard; and the only "vacant" property remaining is the landscaped median strip.

Patrick A. Walters, owner of properties on St. Charles Avenue, stated that most of the traffic in the subject neighborhood comes from the south and departs in the same direction; and people who reside in the neighborhood are constantly having problems getting in and out of their driveways because of cars parked on the street by commuters. While he sympathized with the owners of the subject property who had operated a nursery which had been ruined by the Freeway, he was nevertheless opposed to use of the property as a parking lot. Since the additional parking spaces are needed only on a temporary basis, he saw no reason why the median strip of John Daly Boulevard could not be used for parking, particularly since both sides of Los Banos and Knowles Avenues used to be used for parking. He also felt that the BART corporation yard should be used for parking until it is needed for another purpose. In addition, he pointed out that Marchbank Park lies only two blocks south of the BART station in Daly City; and use of that land for parking on a temporary basis might help to solve the

parking problem while the new garage is being constructed. Furthermore, there are various vacant lots in Daly City which could be used for parking on an interim basis. Under the circumstances, he felt that the Commission should not allow itself to be misled by arguments that use of the subject property for parking is the only way to solve the problem. However, if the conditional use authorization for the parking lot should be granted, he believed that primary access to the site should be directly from Junipero Serra Boulevard and that the driveways on St. Charles and Belle Avenue should be used only for emergencies.

Jack McLean, 379 Chester Avenue, stated that the subject neighborhood would be the densest residential area in the United States if the housing previously approved for the subject site had been constructed; and he believed that the proposed parking lot would be equally detrimental to the neighborhood. He did not understand why Daly City had taken a five year lease on the subject property if the new BART garage is to be completed in two years or less; and, in any case, he did not believe that the proposed parking lot would relieve traffic or parking congestion in the neighborhood to any significant extent. If a fee is charged for parking in the proposed lot, commuters will park on adjacent streets as long as spaces are available; and the net result will be that the neighborhood will be more congested than ever. Furthermore, while the new parking garage is being constructed, the construction workers will be looking for parking spaces in the neighborhood. Added congestion will result when parking lots in the Yerba Buena Center area are removed, forcing San Mateo County commuters to find alternate ways of getting downtown. He remarked that the nearby Payless store has roof top parking; and he felt that it might be possible to make some arrangement with that store to use those parking spaces for commuters on a temporary basis. He also thought that the median strip of John Daly Drive could be used for parking until the new garage is constructed. In his opinion, the decision to construct a big parking facility designed to serve the commuters in the middle of a city was inappropriate. The only real solution to the problem would be to extend BART to Serramonte or to the airport; and, if San Mateo County is unwilling to pay for that extension, he felt that that county's building program should be stopped. He submitted a plan which he had drawn to illustrate how access to the proposed parking lot could be achieved from Junipero Serra Boulevard; and, in conclusion, he stated that he was not so much bothered by the morning commuter traffic as he was by the departure of the vehicles in the evening.

Clinton Jones, 281 St. Charles Avenue, stated that he was bothered by commuters who block his driveway; and he indicated that he was opposed to the proposed parking lot.

Lester Valentine, 282 St. Charles Avenue, stated that commuters start parking in the subject neighborhood at 7:00 a.m.; and, since the curb space between driveways in the area is quite short, automobiles parked on the street frequently overlap the driveways and make it impossible for residents to get into or out of their garages. When the commuters leave during the evening rush hour, traffic is so congested in the area that emergency vehicles cannot get to their designation. Furthermore, buses and taxis bring commuters to the BART station, adding to traffic congestion in the area. Recently, the Municipal Railway initiated service between Park Merced and the BART Station with buses running every 15 minutes; however, since an express bus runs directly from Park Merced to downtown San Francisco, very few

people use the connection to the BART Station. In conclusion, he stated that he was opposed to the proposed parking lot because it would attract 250 additional automobiles to the area each day.

C.R. Arnold, 350 Hamilton Street, stated that he does not live in the subject neighborhood. However, he felt that people should be encouraged to use public transportation instead of their private automobiles; and, instead of providing additional off-street parking spaces for commuter parking, he felt that the property presently under consideration should be use for recreational purposes.

Mr. Steele asked Mr. Evans to comment on traffic problems in the subject neighborhood at the present time and to indicate to the Commission whether he thought that alternate entrances to the proposed parking lot would be feasible.

Mr. Evans stated that the Director of Public Works had written to the Department of City Planning on April 16 to comment upon the Environmental Impact Report which had been prepared for the proposed parking lot by Daly City. In view of the fact that BART had stated that 250 parking spaces which would be closed for construction of the new garage would be restored at the end of phase one of the construction project estimated to take only 26 weeks, it was not clear why Daly City had taken a five year lease on the subject property. The Environmental Impact Report had stated that San Mateo County buses will be using St. Charles Avenue to deliver commuters to the BART Station; and the Municipal Railway already operates buses on that street. It was obvious that use of the street by additional buses would have a bad environmental impact on the subject residential neighborhood; and the Department of Public Works felt that alternate routes for the buses should be investigated. Mr. Evans remarked that Daly City prohibits parking on De Long Avenue south of the country line whereas San Francisco allows parking on its portion of the street; and he also noted that Daly City prohibits parking on John Daly Boulevard. Given the inconvenience which the people of San Francisco suffered during the construction of BART, he felt that the citizens of Daly City should be able to tolerate parking on those streets on a temporary basis. He noted that the storage yard on the northwest corner of the BART site is extremely large; and, although that site will be used as a staging area during construction of the new garage, he believed that it could also be used for parking. Only 26 weeks will be needed for construction of the new garage; and he felt that it would be desirable if the construction project could be initiated prior to the summer months since there will be less parking demand at that time.

Commissioner Porter remarked that conditions must be almost intolerable in the subject neighborhood at the present time; and she doubted that the Commission would wish to take any action which would aggravate the situation. She appreciated the constructive comments which had been made by Mr. Evans; but she asked how those suggestions might be implemented.

Mr. Evans replied that establishment of time limits for on-street parking in the subject neighborhood might discourage commuters; however, such time limits would also inconvenience residents of the neighborhood. He believed that parking congestion in the area will be relieved when the new BART garage is completed if no fee is charged for parking in that facility; and he felt that Daly City should allow on-street parking on De Long Avenue and John Daly Boulevard until the garage is completed.

Commissioner Fleishhacker remarked that one of the major problems is that St. Charles Avenue is one of the few streets which can be used to get to the Daly City BART station; and he wondered if closing of the bridge over the Freeway from St. Charles Avenue to the BART Station would discourage commuters from the south from driving into the subject neighborhood.

Mr. Evans acknowledged that closing of the bridge would probably discourage commuters from driving into the subject neighborhood; but he pointed out that the bridge is also a convenience to residents of the neighborhood. The BART license plate survey had indicated that 15 percent of the people who park in the BART parking lot are from San Francisco; and he felt that it would be desirable if those individuals could be encouraged to ride to the BART Station on the Municipal Railway bus which uses the St. Charles Avenue bridge.

Commissioner Porter asked if it is mandatory that the Municipal Railway bus use St. Charles Avenue for access to the BART Station. Mr. Evans replied that he believed that alternate routes were available; and he indicated that he would discuss the matter with the Municipal Railway.

President Newman, noting that Mr. Evans had claimed that BART had stated that the first phase of the garage construction project would be completed in 26 weeks, asked Mr. Rowe if he regarded that estimate to be realistic.

Mr. Rowe replied in the negative, remarking that he felt that the first phase of the construction project was more likely to take two years. He stated that Daly City had hoped to become a part of the solution to the subject neighborhood's parking problem and not the focal point of the problem. He regarded the major problem to be the departure of automobiles from the area at 5:00 p.m.; and he doubted that the problem will be significantly relieved even after the new

garage has been constructed. For the record, he stated that Daly City had been in favor of BART; but he remarked that the State had purchased the site of the Daly City station in spite of the objections of his community. He stated that De Long Avenue and John Daly Boulevard serve as the primary entry and exit routes for the BART parking lot and that they both carry an extremely high volume of traffic. If parking were to be allowed on those streets, he believed that so much congestion would result during the evening rush hours that the BART parking lot could not be emptied until 8:00 or 9:00 p.m. In his opinion, the best solution to the problem would be for the Commission to authorize the proposed parking lot on the subject property and to forbid parking on St. Charles Avenue during certain hours. In any event, the neighborhood will continue to have problems since St. Charles Avenue is used for access from an egress to the BART Station; and he believed that traffic on the street will continue to increase even after the new garage is completed.

Commissioner Finn, noting that the new garage will be completed in 26 weeks or two years, asked why Daly City was requesting a five year authorization for the proposed parking lot. Mr. Rowe replied that the second phase of the garage construction project will probably not be completed for approximately five years; and it was for that reason that Daly City had taken a five year lease on the subject property. He pointed out that the Commission would have the option of granting the requested conditional use authorization only until such time as the garage is completed; but he felt that it would be more appropriate for the Commission to establish a specific time limit for the authorization.

Commissioner Finn remarked that the various phases of the proposed garage construction would be contingent on the availability of funds, and, while it appeared that funds would be available for phases one and two of the project, phase three seemed more unlikely. He then observed that if parking is not available in the subject neighborhood, people are likely to drive to the Glen Park Station to see if they can find parking in that area; and 80 percent of the people looking for parking spaces would be from San Mateo County. He felt that BART has had a detrimental impact on Daly City; and he remarked that implementation of San Mateo County's new bus transit plan will turn Daly City into the biggest "depot" on the west coast. Under the circumstances, he felt that it was imperative that BART should be extended southward.

Mr. Steele remarked that the problems being experienced by the subject neighborhood exist for a variety of reasons; and he indicated that the staff of the Department of City Planning would work with other local agencies to try to ameliorate the problems. With regard to the proposed parking lot, he observed that new parking facilities usually tend to generate more traffic than they are designed to serve; and he

doubted that the proposed facility would reduce the on-street parking problem in the subject neighborhood unless no charges are made for parking on the lot and unless the facility were more than ample in size. He stated that it was the recommendation of the Director of Planning that the subject application be disapproved for the following reasons:

"1. All access and egress from the proposed parking lot would necessarily be via St. Charles Avenue, which is a very narrow residential street already accommodating more vehicles than its present design capacity during peak hours.

"2. St. Charles Avenue is developed with single-family dwellings; any increase in traffic above that already using St. Charles Avenue will be that much more detrimental to the residential quality of the street.

"3. The proposal would not conform with policies established in the Master Plan for the discouraging of thru traffic, or commuter traffic, on residential streets and for the maintenance of neighborhood livability by the reduction of excessive traffic.

"4. The applicant has not demonstrated that the proposal would significantly relieve the congested parking situation on any of the residential streets near the Daly City BART Station.

"5. Numerous alternatives to the proposal exist which would have far less adverse effects in residential neighborhoods in either Daly City or San Francisco for the transporting of commuters to the BART Station or to Downtown San Francisco by public transportation."

In conclusion, Mr. Steele stated that one of the alternatives to the proposed parking lot which had not been discussed during the course of the public hearing was use of the Candlestick Park parking lot and the shuttle bus service to downtown San Francisco which will be operated by the Municipal Railway.

Dean L. Macris, Director of Planning, remarked that the Daly City BART Station was never intended to be a staging area for San Mateo County commuters; and, despite the comments which had been made by Mr. Evans, he seriously doubted whether the garage which is to be constructed by BART will solve the area's parking problem. Once the garage has been constructed, the demand for parking spaces will increase beyond the number of spaces available in the new facility; and he feared that the temporary parking lot presently under con-

sideration, once approved, would have all of the earmarks of becoming a permanent parking lot. He felt that the St. Charles Avenue bridge should be closed so that commuters will no longer be encouraged to use that street for access to the BART Station; and he suggested that the experimental Municipal Railway shuttle service which is presently operating on St. Charles Avenue should be rerouted.

Mr. Kyriakis agreed with Mr. Macris that the 1,900 parking spaces which will be available in the BART garage will not be sufficient; and he indicated that he did not regard either the garage or the temporary parking lot to be the ultimate solution to the parking problem in the vicinity of the BART Station. However, he emphasized that San Mateo County has approved a new bus transit system which will be running as many as 70 buses an hour to the BART Station; and, once that system is in operation, it might be possible to reserve the parking spaces in the new garage for short-term parking, thus helping to relieve the parking situation in the neighborhood.

Commissioner Rueda felt that San Francisco and San Mateo County should work together to resolve the problems associated with the Daly City BART Station; and, as a result, he did not feel that the Commission should "close the door" on the cooperative effort by disapproving the subject application during the present hearing. He therefore moved that the application be taken under advisement so that further study could be made of traffic problems in the subject neighborhood.

Commissioner Porter indicated that she disagreed with Commissioner Rueda. She felt that the proposed parking lot would be most inappropriate; and, if the application were disapproved, she believed that Daly City would be able to come up with another solution to the problem which would not involve ruining the subject residential area.

Commissioner Fleishhacker stated that he would support Commissioner Rueda's motion if the intent of the motion was that additional investigation should be made regarding the feasibility of alternate means of access to and egress from the proposed parking lot.

Commissioner Rueda confirmed that that was the intent of his motion; and he also remarked that if the Commission were to disapprove the application, Daly City would be precluded from filing a similar application for a period of one year.

Commissioner Fleishhacker seconded the motion which had been made by Commissioner Rueda.

Commissioner Rueda asked Mr. Evans how much time he would need to investigate alternatives to the plan which had been presented by Daly City. Mr. Evans replied that a period of 30 days should be sufficient.

Commissioner Finn remarked that it might be possible for Mr. Evans to be prepared to report to the Commission if the matter were taken under advisement for only 30 to 60 days; but he doubted that any real solution to the problem could be arrived at in such a short time span. Therefore, he felt that the Commission should take the matter under advisement for a longer period of time.

Commissioner Ritchie indicated that he was of the opinion that the proposed parking lot would have a very detrimental effect on the adjacent residential neighborhood and that it would result in the ultimate deterioration of the area. Therefore, if the application were to be taken under advisement, he felt that the Commission should suggest that Daly City look for other sites for the temporary parking lot. In conclusion, he stated that he was more concerned about use of the subject property as a parking lot than he was concerned about the means of access to the lot.

Commissioner Fleishhacker stated that residents of the neighborhood who had addressed the Commission had not objected to the parking lot itself as much as they had objected to use of their residential streets for access and egress purposes; and it was for that reason that he had seconded the motion which had been made by Commissioner Ritchie.

President Newman remarked that the Commission is naturally San Francisco-oriented. Nevertheless, the Commission has an interest in regional transit; and he felt that the Commission should work with Daly City to help that community solve its problems.

The Director felt that alternate means of access to the subject site could be investigated in a relative short period of time. Furthermore, it would also be possible to look for alternate sites in a relatively short period of time; and he hoped that the Commission would direct the staff of the Department of City Planning and other agencies involved to see if alternate sites are available. Both investigations could be completed in 30 days or less; and he felt that it would be unfair to Daly City to take the matter under advisement for any longer period of time.

Commissioner Porter stated that she would vote for a delay only if Daly City were willing to look for an alternate site for the temporary parking lot. She felt that use of the subject property as a parking lot would do irreparable damage to the adjacent residential neighborhood.

Commissioner Rueda remarked that the proposed postponement would be meaningless if the Commission were to instruct Daly City to use the time to look for alternate sites. Therefore, he wished to limit his motion to require only that alternate means of ingress to and egress from the site be investigated.

Commissioner Ritchie stated that he would join Commissioner Porter in voting against the motion.

Commissioner Finn felt that the issue of access to the site had already been thoroughly explored; however, in the spirit of compromise, he intended to vote in support of the motion.

When the question was called, the Commission voted 4 to 2 to take this matter under advisement until the meeting of May 29, 1975. Commissioners Finn, Fleishhacker, Newman, and Rueda voted "Aye"; Commissioners Porter and Ritchie voted "No".

At 4:35 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 4:45 p.m. and proceeded with hearing of the remainder of the agenda.

ZM75.3 - RICKARD STREET, WEST END, APPROXIMATELY 315 FEET WEST OF BARNEVELD AVENUE, EXTENDING WEST ALONG REAR PROPERTY LINES OF GAVEN STREET PROPERTIES AND NORTH UNDER FREEWAY RAMPS.

M-1 AND R-1 TO A C-M DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is an irregularly shaped site with a 60-foot frontage on Rickard Street and an area of approximately 175,000 square feet. Two lots, comprising 71,750 square feet of lot area are presently located within an R-1 District. The remaining lot, comprising approximately 81,000 square feet of lot area, is within an M-1 (light industrial) District. Approximately two-thirds of the State owned R-1 property is occupied by a freeway structure supported on columns. Clearance under the freeway varies from 14 feet to 40 feet. The rest of the property is vacant. The applicant had requested that all of the subject lots be reclassified to a C-M (heavy commercial) District to allow the development of small unit storage warehouses for residential and small business dead storage. Three one-story and three two-story structures would be constructed between columns of the elevated freeway; and two two-story buildings would run the length of the remainder of the site. Ten off-street parking spaces would be provided. All access to the lot would be from Rickard Street via San Bruno Avenue. In conclusion, he stated that a negative declaration had been issued for the proposed rezoning on April 11, 1975, and had not been appealed.

President Newman stated that letters had been received in opposition to the application from the Portola Parents for Daycare, the Silver-Hale-Sweeny-Gaven Block Club, the Dwight-Olmstead Block Club, and the Somerset-Holyoke-Hamilton Block Club.

Donald C. Meckfessel, consulting engineer, represented the applicant. He displayed and described a rendering of the proposed development, remarking that small unit storage warehouses are a unique concept. The buildings to be constructed on the site would contain storage units of various sizes ranging from 5 feet by 5 feet to 10 feet by 20 feet. This type of storage, which was initiated in Florida approximately 10 years, is intended primarily for residential and small business dead storage. No other commercial activities would take place on the property; and no explosives would be stored. A full time manager would be on the site from 8:00 a.m. to 8:00 p.m.; and the gates to the property would be locked the remainder of the time. The project would contain approximately 1,200 storage units; and it was anticipated that those units would generate approximately 100 to 150 automobile trips to the site each day. In view of the fact that the site contains approximately 4 acres of property, the traffic which will be generated will be relatively minor; and, as a matter of fact, when the Housing Authority had contemplated development of a portion of the site which it owns, it had anticipated that that development would generate between 400 and 600 automobile trips a day. Mr. Meckfessel stated that very few city services would be required by the proposed project, involving only a sewer connection for the resident manager's office and electricity for lighting purposes. He remarked that there are not many sites in San Francisco which would be suitable for the proposed use; but he felt that the subject site would be extremely good. While the proposed development could be limited to the M-1 portion of the site, the larger development would make more sense and would be more economic. In conclusion, he stated that the subject site is well located between residential and commercial areas.

Commissioner Porter, noting that a number of residents of the subject neighborhood seemed to be opposed to the proposed rezoning, asked if the applicant had made any effort to contact neighborhood groups to explain his proposal. Mr. Meckfessel replied in the negative.

Commissioner Ritchie asked if the applicant proposed to landscape the slope which abuts the rear yards of neighboring residential properties. Mr. Meckfessel replied that he had not previously thought of that possibility; however, he stated that it would be possible to landscape the slope as well as an additional 10-foot strip within the subject property. After Commissioner Ritchie had asked if the applicant be willing to install the landscaping, Mr. Meckfessel replied in the affirmative.

Mary Ann Martin, 254 Sweeny Street, stated that she was opposed to the subject application because she wished to preserve the family residential character of the neighborhood. She remarked that the neighborhood has no playgrounds for its children; and since the subject property is owned by the State and the City, she felt that it would make an ideal site for a playground. In conclusion, she stated that she felt that the proposed zoning of the property for warehouse use would have a negative effect on the neighborhood.

Commissioner Porter pointed out that a portion of the subject site is zoned M-1 at the present time; and, as a result, that portion of the property could be developed with a light industrial use at any time without specific authorization from the Commission.

Mrs. Martin stated that she was aware of the zoning of the property and hoped that it could be changed. She remarked that the landscaping which had been proposed by Commissioner Ritchie would have to be more than 100 feet high in order to screen buildings on the subject property from residential buildings to the south; and the people who live in those residential buildings do not want to look down on a warehouse complex. If the property cannot be developed as a park, she felt that it should be used for new residential buildings.

Christine Ortis, 731 Girard Street, stated that she had not been aware that a portion of the property is zoned for industrial use until representatives of the Department of City Planning had recently attended a neighborhood meeting. Having become aware of the zoning, she was anxious to know what procedures should be followed to achieve rezoning of the site for residential use. She stated that she was opposed to the warehouse project.

Joe Gaggero, representing the Sommerset-Holyoke-Hamilton Block Club, stated that the subject neighborhood does not even have a mini-park; and he emphasized that children in the area need some place to play. He felt that the subject property, being sheltered, would be an ideal location for a new park; and he remarked that there are hundreds of acres of industrial land in San Francisco where the warehouse project could be constructed. He stated that he was opposed to the subject application.

Andrea Cave, 270 Sweeny Street, stated that she is the Chairperson of the Silver-Hale-Sweeny-Gaven Block Club. She indicated that an effort had been made to have the subject property converted into a playground approximately two years ago; but the group which had handled that project had not been well organized and had failed in its effort. Under the circumstances, it was particularly disconcerting to learn that a proposal to use the property for warehouses was now being considered.

Billy Holmes, 182 Gaven Street, stated his property is located immediately adjacent to the subject site. Because of the two free-ways in the area, the neighborhood has noise and pollution problems; and he did not feel that the warehouse buildings being proposed would help in any way to upgrade the neighborhood.

Joop Posthumus, tenant in a building located at 178 Gaven Street, stated that he had considered purchasing his house; but he had been discouraged because of the freeway noise. He noted that the other side of the freeway is landscaped; but the State has done nothing to buffer the subject neighborhood from freeway noise. If the subject application were to be approved, he felt that landscaping of the slope area should be required; and, in addition, he suggested that the applicant should set aside a portion of the subject site for a playground.

Ruth Hopkins, 106 Gaven Street, believed that the proposed warehouse development would be an "eyesore". She stated that she had contacted a number of city agencies to see if the subject property could be developed as a playground; however, after she had been advised by the Recreation and Park Department that the only way to achieve that end would be for people in the neighborhood to work together to build their own mini-park, she had lost interest in the project. She had not been advised that a portion of the property was zoned for industrial use. If the warehouse project were to be constructed, she believed that it would cause traffic problems in the neighborhood; and she doubted that the 8:00 p.m. closing time mentioned by the applicant's representative would be observed.

Ray Gipson, 171 Gaven Street, stated that he lives on the south-side of Gaven Street; yet, the noise from the freeway is almost as bad as if he were living on the north side of the street. He believed that the trucks which would travel to and from the proposed warehouse project would have an extremely detrimental effect on the neighborhood.

C.R. Arnold, 350 Hamilton Street, stated that he had visited the offices of the Department of City Planning and had reviewed the doc-ket for the subject application; and he was convinced that the proposed use would bring traffic and parking congestion to the neighborhood. He stated that children in the area have no place to play; and he felt that the subject property should be used for a playground or a park. He remarked that the proposed warehouse project could be located almost anywhere in the Bayview industrial district.

Mr. Steele remarked that in view of the testimony which had been recieved it was apparent that the present zoning of the property is not appropriate and that the requested C-M zoning would also be in appropriate. Therefore, it was the recommendation of the Director of Planning that the application be disapproved. In addition, the Director recommended that the Commission initiate rezoning of the entire parcel of property to R-1, specifying that all zoning districts between R-1 and M-1 should be considered. It was also recommended that the Commission direct the staff to explore all appropriate alternate uses for the site.

Commissioner Fleishhacker asked why the subject parcel had been zoned for industrial use in the first place. Commissioner Ritchie explained that the property had been used as construction yards by the State of California; and he indicated that the property was part of a larger industrial area before the freeways were constructed.

Commissioner Porter remarked that she found it difficult to conceive of housing being developed on the subject property. However, there seemed to be some validity to the neighborhood's request that the property be dedicated as permanent open space; and she wondered if anything could be done to achieve that goal.

Dean L. Macris, Director of Planning, stated that the property is not designated in the Master Plan for acquisition with Proposition J funds. Nevertheless, designation of the property for park purposes could be considered; however, in making that statement he in no way wished to give any assurance that the property would be acquired for park purposes since there will be a great demand for the money which will be made available as a result of the passage of Proposition J.

After further discussion it was moved by Commissioner Rueda and seconded by Commissioner Finn that the subject application be disapproved.

Commissioner Ritchie remarked that it was unfortunate that a well-intentioned developer had spent money to prepare plans for a project on property which appeared to be appropriate for an industrial use; but it was apparent that the overwhelming opinion of residents of the neighborhood was that the property should be used for different purposes. He regretted that the Commission had not changed the zoning of the property at an earlier date so that the applicant, who had probably noted from zoning maps that a portion of the property was zoned M-1, would not have been encouraged to spend money on plans for a project which would not be approved by the Commission.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7320 and to disapprove the subject application.

THE FIRST PART OF THE HISTORY OF THE
REIGN OF CHARLES THE FIRST, KING OF
ENGLAND, WAS WRITTEN BY SIR PHILIP
SIDNEYS SON, AND THE SECOND PART
BY SIR JOHN HOLLANDS, BOTH OF WHOM
WERE GREAT FAVORITES OF HIS MAJESTY.
THE FIRST PART WAS PRINTED IN
LONDON, IN THE YEAR 1643, AND THE
SECOND PART IN THE YEAR 1644.

THE HISTORY OF THE REIGN OF
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IN THE YEAR 1644.

Subsequently, it was moved by Commissioner Fleishhacker that the Commission initiate a reclassification of the property to R-1, specifying that all of the various zoning classifications between R-1 and M-1 should be considered.

Commissioner Rueda asked if there are other properties in the subject neighborhood which are zoned for industrial use. If so, he felt that the Commission should consider reclassification of those properties at the same time.

Mr. Steele replied that there is only one other parcel of property in the neighborhood with M-1 zoning; and he remarked that reclassification of that property to R-1 would not affect its present use as a caltrans yard.

Commissioner Ritchie felt that reclassification of other State-owned properties around the "clover leaf" would merely compound the problem being faced by the Commission. If those properties are not to be used for industrial purposes, he felt that park use would be most appropriate; and, as a result, he felt that the Commission should consider rezoning the properties to "P".

Mr. Steele stated that the Commission could consider reclassification of the property to "P" if it so desired.

Commissioner Fleishhacker stated that he would not favor rezoning the property to "P" at the present time since such an action would mislead residents of the neighborhood into thinking that use of the property for park purposes is eminent while, in fact, the possibility for such use is actually remote.

Commissioner Rueda seconded the motion which had been made by Commissioner Fleishhacker.

Commissioner Finn stated that he agreed with Commissioner Fleishhacker that rezoning of the property to "P" should not be considered at the present time because the possibility of the property becoming a park is so remote.

Commissioner Ritchie felt that residential use of the property was unlikely and that the only realistic possibilities for the site are the warehouse project which had been proposed or public recreational use.

President Newman stated that he was of the opinion that the desirability of rezoning the property to "P" should be studied.

Mr. Steele stated that the motion which had been made by Mr. Fleishhacker would not preclude the staff from studying the desirability of including the property in a "P" zone; however, if the Commission wished to change the zoning of the property from private use to public use, further action would be required.

Commissioner Ritchie moved that the main motion be amended to specify that reclassification of the subject property to "P" would be considered, also. The motion was seconded by Commissioner Porter.

When the question was called, Commissioners Newman, Porter and Ritchie voted "Aye"; Commissioners Finn, Fleishhacker, and Rueda voted "No". Therefore, in accordance with the rules and regulations of the City Planning Commission which specify that "a tie on any matter before the Commission shall be deemed to be a disapproval thereof", the motion failed.

When the question was called on the main motion, Commissioners Finn, Fleishhacker, and Rueda voted "Aye"; and Commissioners Newman, Porter and Ritchie voted "No". Again, the motion failed because of a tie vote.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the action just taken by the Commission in disapproving the motion to initiate rezoning of the subject property be rescinded.

Commissioner Fleishhacker stated that he would have no objection if the Commission were to instruct the staff to study the desirability of "P" zoning for the subject site; however, he did not wish to initiate such a rezoning at the present time since it would not be possible for him to know if "P" zoning would be appropriate until the matter has been studied by the staff. Commissioners Finn and Rueda stated that they shared the sentiments which had been expressed by Commissioner Fleishhacker.

Mr. Steele stated that the original motion which had been made by Commissioner Fleishhacker would not preclude the staff from studying the desirability of "P" zoning for the subject site; and, since the members of the Commission were obviously in agreement that the desirability of a "P" zone should be explored, the staff would include that zoning district in its study.

Subsequently it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7321 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission finds that the public necessity, convenience and

and general welfare require that some change in the zoning classification be considered and hereby declares its intention to hold hearings which will lead to the reclassification of said property to an R-1 district or to some other appropriate zoning district which would be more restrictive than the present M-1 classification; and

"BE IT FURTHER RESOLVED, That the City Planning Commission requests its staff to study this matter and to schedule the proposed reclassification for hearing at an appropriate time."

At this point in the proceedings, Commissioner Ritchie absented himself from the meeting room for the remainder of the meeting.

ZM75.4 - CALIFORNIA AND SPRUCE STREETS, NORTHEAST CORNER.

R-4 TO A C-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that he had understood that the applicant wished to withdraw the subject application. However, since the applicant was not represented in the meeting room, he recommended that consideration of the application be postponed until the meeting of June 5, 1975.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that consideration of this application be postponed until the meeting of June 5, 1975.

CU75.21 - SPRUCE STREET, EAST LINE, 92.594 FEET NORTH OF CALIFORNIA STREET.

REQUEST FOR AUTHORIZATION FOR AN ACCESS DRIVEWAY TO PROPERTY AT THE NORTHEAST CORNER OF CALIFORNIA AND SPRUCE STREETS IF THAT PROPERTY IS RECLASSIFIED FROM R-4 TO C-2.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that this application had been filed as a companion to application ZM75.4; and he recommended that consideration of this application, also, be postponed until the meeting of June 5, 1975.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that consideration of this application be postponed until the meeting of June 5, 1975.

CU75.22 - 1451 MASONIC AVENUE, WEST LINE, 160.2 FEET
SOUTH OF FREDERICK STREET.

REQUEST FOR AUTHORIZATION TO CONTINUE AN
ELEEMOSYNARY INSTITUTION (LIBRARY AND SMALL
MUSEUM FOR THE AMERICAN INDIAN HISTORICAL
SOCIETY, INC.) PREVIOUSLY AUTHORIZED FOR A
PERIOD OF FIVE YEARS; IN AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that the Commission had given conditional use authorization for the subject facility in 1967; but that authorization had expired in 1970. The application presently under consideration had been filed to legalize the existing use.

Robert Costo, President of the American Indian Historical Society, stated that the library and museum had been in existence for ten years and he indicated that it serves people throughout the world by distributing information on American Indians. He urged that the application be approved.

Gloria Vollmayer, 1341 Masonic Avenue, represented the Haight-Ashbury Neighborhood Council. She stated that the sole objection of her organization to the subject application was that approval of the application would effectively remove a family residential unit from the housing market. While the American Indian Historical Society is a very worthwhile organization, her organization felt that it could be better located on the commercial portion of Haight Street which already has similar facilities such as the Christian Science Reading Room; and, if the use were relocated, the single-family dwelling, which is located in a very desirable residential area, could revert to residential use. She remarked that conditional use authorizations had been granted very indiscriminately in the past; and she urged the Commission to consider the subject application very carefully.

Jeanette Costo, Executive Secretary to Mr. Costo, stated that they had not solicited petitions in support of the application; but she assured the Commission that such support does exist. She stated that her organization has not applied for or accepted any Federal money, and relies instead on private contributions. Under the circumstances, she found it almost "obscene" that anyone should object to the library operated by her organization at this stage of the American Indian's history. She stated that she and her husband are California Indians; and she pointed out that the land on which the subject building stands originally belonged to her people. In fact, she and her husband had been informed that they could "cloud the title" of any piece of property in San Francisco. She stated that the subject property had been a "shambles" when she and her husband purchased it. They had removed two tons of garbage from the front and

back yards and had renovated the building itself; and, because of the example which they had set, other property owners in the area had improved their properties, also. The American Indians were the victims of genocide; and she objected to being told that the American Indian Historical Society is preventing people from living on the subject property. She stated that she and her husband live on the same street; and, although real estate developers had tried to acquire their properties for high-rise development, they had resisted those pressures. In conclusion, she informed the Commission that Indians do not sell property but that they only improve it and love it.

Mr. Steele stated that it was the recommendation of the Director of Planning that the application be approved subject to six specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. After distributing copies of the draft resolution, he summarized the conditions which it contained.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7322 and that the application be approved subject to the conditions which had been recommended by the Director.

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

It is a very common mistake to suppose that the
only way to get a good result is to work hard
and long hours. In fact, the best results are
usually obtained by working a few hours a day
and taking plenty of rest. The reason for this
is that the mind and body need time to rest
and recover. If you work too hard and too long,
you will become tired and your work will suffer.
It is better to work a few hours a day and
take plenty of rest than to work long hours
and become exhausted.

The same principle applies to the study of
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SAN FRANCISCO
CITY PLANNING COMMISSION

Summary and Minutes of the Regular Meeting held Thursday, May 8, 1975.

The City Planning Commission met pursuant to notice on Thursday, May 8, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; James J. Finn, Thomas G. Miller, and John Ritchie, members of the City Planning Commission.

ABSENT: Mrs. Charles B. Porter, Vice President; and Mortimer Fleishhacker and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Peter Svirskey, Executive Assistant to the Director of Planning; Alan Lubliner, Planner III; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the minutes of the meetings of April 10 and 17, 1975 be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, announced that the Neighborhood Plans Committee meeting scheduled for next Thursday will be cancelled.

The Director reported that the suit brought on behalf of Mr. Petri challenging the validity of the City's Height and Bulk Ordinance approximately two years ago had been dismissed by the courts.

The Director informed the Commission that the Potrero Hill League of Active Neighbors had filed a suit challenging the approval of the Victoria News project by the City Planning Commission and the Board of Supervisors.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), made the following report:

"The Department has received a Master Plan referral from the War Memorial Board of Trustees concerning their proposed addition on the Franklin Street side of the Opera House. As you may recall, this area presently is a parking lot and provides some 23 spaces.

"The addition, which will adjoin the existing Opera House, will be 55 feet by 140 feet and will be approximately 62 feet in height. The main purpose of this addition is for the storage of scenery; however, the addition will also be able to provide dressing rooms in the basement level and some additional choral rehearsal space, offices, and coaching rooms above the scenery storage area.

"Scenery storage at this location was part of the original plan but was not constructed due to budgetary considerations. The present proposal would be in keeping with that original plan and would be so designed as to be a continuation of the existing facades of the building.

"It is proposed that the addition be constructed with materials exactly the same as, or as close as possible to, those of the present building, so that upon completion it would be nearly impossible to tell that the addition was not part of the original construction.

"I should also note that the proposed scenery storage area would allow up to a full season's scenery requirements to be stored in the Opera House, as opposed to the now necessary trucking of production scenery to the Indiana Street scenery storage warehouse each time a set is changed. Clearly, this would be a tremendous improvement in the operation of the Opera House.

"The referral is tentatively scheduled to be brought before the Commission on May 29."

Commissioner Ritchie asked if the Indiana Street scenery storage warehouse would be abandoned after the addition is completed. Mr. Steele replied in the negative, indicating that the new scenery storage area would accommodate only the scenery needed for one opera season.

Commissioner Ritchie then noted that both the Veterans Building and the Opera House were constructed with setbacks from Franklin Street; and he also noted that there has been some discussion of building new opera facilities across the street from the existing Opera House. He therefore asked that the staff, in bringing the referral before the Commission, be prepared to demonstrate the overall effect which the proposed expansion would have on the War Memorial complex and adjacent properties.

Alan Lubliner, Planner III, presented and summarized a memorandum which had been prepared as a policy response to the issues raised in the draft final report of the Golden Gate Corridor Transit Study. The memorandum is available in

the files of the Department of City Planning. After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Miller, and carried unanimously that the comments contained in the memorandum be endorsed and that the Director be authorized to forward the comments to the Board of Control of the Golden Gate Corridor Study, to the San Francisco Board of Supervisors and to the Metropolitan Transportation Commission.

The Director then presented and summarized a memorandum which he had prepared concerning adjustments in the Department of City Planning's Work Program. The memorandum is available in the files of the Department of City Planning. John Tolan, Mayor Alioto's Deputy for Development, and James Jaquet, Director of the Mayor's Office of Community Development, were present to participate in a discussion of the Department of City Planning's role in the Community Development Program process. Other aspects of the Department's Work Program were also discussed.

At the conclusion of the discussion, it was moved by Commissioner Ritchie that the Commission endorse the adjusted work program in principle. Commissioners Finn and Miller stated that they felt endorsement of the adjusted work program should be deferred until the three citizen Commissioners who were absent from the meeting have an opportunity to read the Director's memorandum and to resolve any questions which they may have regarding it. In view of this discussion, the motion was not seconded.

The meeting was adjourned at 4:05 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

//SAN FRANCISCO
//CITY PLANNING COMMISSION

//Minutes of the Regular Meeting held Thursday, May 15, 1975.

The City Planning Commission met pursuant to notice on Thursday, May 15, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Alan Lubliner, Planner III; Marie Zeller, Planner III-Administrative; Dave Fulton, Planner II; Nathaniel Taylor, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of the meeting of April 3 and 24 and May 6, 1975, be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, advised the Commission that the Planning, Housing, and Development Committee of the Board of Supervisors is scheduled to meet next Thursday afternoon; and, because of the nature of some of the items on the Committee's agenda he felt that he should attend that meeting. He stated that the matters which were scheduled to be brought before the Commission on that date could be rescheduled at a later time; and, therefore, he recommended that the Commission's regular meeting for next week be cancelled. After discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that next week's regular meeting be cancelled.

THE UNIVERSITY OF CHICAGO
OFFICE OF THE DEAN

MEMORANDUM OF THE DEAN
TO THE CHAIRMAN OF THE BOARD OF TRUSTEES
DATE: 1911

THE CHAIRMAN OF THE BOARD OF TRUSTEES
HAS REQUESTED THAT THE DEAN
REPORT ON THE PROGRESS OF THE
UNIVERSITY DURING THE YEAR 1911.

THE DEAN HAS THE HONOR TO
ACKNOWLEDGE THE RECEIPT OF THE
REQUEST AND TO REPORT THAT THE
UNIVERSITY HAS BEEN VERY
BUSY DURING THE YEAR 1911.

RESPECTFULLY,
THE DEAN

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VERY RESPECTFULLY,
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UNIVERSITY HAS BEEN VERY
BUSY DURING THE YEAR 1911.

Yours very truly,
THE DEAN

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The Director continued his report, as follows:

"As the Commission knows, area planning activities in the Haight-Ashbury have concentrated on several programs and projects for implementing the neighborhood's improvement plan. One of these programs has just recently been completed in draft form and will be considered by the Board of Supervisors next week. It is the Home Ownership Assistance Program that was called for in the overall plan for the expenditure of the \$250,000 General Revenue Sharing grant to the Haight-Ashbury in 1973. It is also an implementation tool for some of the housing policies of the Haight-Ashbury Plan.

"The funding for the program will be limited to \$90,000 from the original \$250,000 grant, and will therefore operate on an experimental basis to test its feasibility. The program will facilitate the purchase of residential property for those who might otherwise be denied that opportunity. It is contemplated that this program may include conversion of existing multi-unit, single-owner buildings into condominium or cooperative ownership, whereby the costs per unit will be within the financial capabilities of lower-income persons."

During the course of the Director's report, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director noted that he had presented a memorandum on adjustments in the Department of City Planning's Work Program during the Commission's meeting last week; but the Commission had deferred action on the matter so that the three citizen commissioners who were absent on that day would have an opportunity to read the memorandum and to resolve any questions which they might have regarding it. He asked if any of the commissioners who had been absent from that meeting wished to make any comments concerning the adjusted work program.

Commissioner Fleishhacker stated that he was particularly impressed with the attempt which is being made to get rid of unnecessary duplication of functions within the Department.

Commissioner Porter remarked that the work program memorandum had stated that no consideration is being given to a formal merger of the Office of Community Development and the Department of City Planning. However, since the time that Mr. Macris had assumed the position of Director of Planning, she had been under the impression that

THE PROGRESS OF THE UNITED STATES

In the history of the United States, the progress of the nation has been marked by a series of events which have shaped the course of its development. From the early days of settlement to the present, the United States has grown from a small colony to a great nation, and its progress has been the result of the efforts of its people.

The progress of the United States has been marked by a series of events which have shaped the course of its development. From the early days of settlement to the present, the United States has grown from a small colony to a great nation, and its progress has been the result of the efforts of its people.

During the course of the American Revolution, the United States has achieved a great deal of progress, and its people have shown a great deal of courage and determination.

The progress of the United States has been marked by a series of events which have shaped the course of its development. From the early days of settlement to the present, the United States has grown from a small colony to a great nation, and its progress has been the result of the efforts of its people.

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the Office of Community Development would be merged into the Department of City Planning by ordinance. She asked for further clarification of that matter. The Director stated that the Department of City Planning and the Office of Community Development have established a close working relationship and are working as a team. This informal arrangement has worked well; and he felt this arrangement should continue.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the adjustments to the Work Program of the Department of City Planning as outlined in the memorandum which had been submitted to the Commission last week be endorsed in principle.

REPORT ON DOYLE DRIVE ALTERNATIVES

Dean L. Macris, Director of Planning, advised the Commission that the Streets and Transportation Committee of the Board of Supervisors was scheduled to meet at 6:30 that evening to consider proposals for the redesign of Doyle Drive. He then called on Alan Lubliner, Planner III, and Dave Fulton, Planner II, to review various long-range and short-term alternative plans for the improvement of Doyle Drive which had been discussed by City and State agencies. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Finn, and carried unanimously that the Director be authorized to attend the meeting of the Streets and Transportation Committee of the Board of Supervisors to make the following suggestions for improving the safety of Doyle Drive:

1. A median barrier should be erected on the roadway immediately.
2. The sidewalk on the north side of the roadway should be removed to permit widening of the traffic lanes.
3. The access ramp to Doyle Drive from Park Presidio Boulevard should remain open during the morning rush hours on an experimental basis.

REPORT ON SAN MATEO TRANSIT PROPOSALS

Dave Fulton, Planner II, submitted and summarized a memorandum entitled "Description of Peninsula Transit Extension Studies". The memorandum, which is available in the files of the Department of City Planning, described the results of four studies which had investigated alternatives for expanded transit service in San Mateo County and between San Mateo County and San Francisco. The four studies were the San Francisco Airport Access Project (SFAAP) which

had investigated a possible extension of BART to the San Francisco International Airport; The San Mateo County Transit Development Project (SMCTDP), which had considered the extension of BART from San Francisco International Airport to Menlo Park; The San Mateo County Local Bus Transit Study (LOBUTS), which had proposed a San Mateo bus system; and the Southern Pacific Upgrading Feasibility Study (SPUG) which had investigated the possibility of serving the Peninsula's transit needs with rail service. The staff memorandum concluded as follows:

"With sufficient information on the various transit extension alternatives now available in these studies, San Francisco should begin to determine which alternative best meets its objectives. The following are some of the questions that may be useful in evaluation of each alternative:

- "1. Does the alternative financing arrangement account for San Francisco's contribution to BART?
- "2. Does the alternative provide no-transfer service to the San Francisco downtown area?
- "3. Does the alternative disrupt San Francisco local transportation?
- "4. Does the alternative disrupt the San Francisco environment?
- "5. Does the alternative provide reverse commute service?
- "6. Does the alternative provide service to destinations in San Francisco outside the downtown core?
- "7. Do the alternative's route alignment and station locations serve areas of highest population density in San Mateo County?
- "8. What are the alternative's capital and operating costs per daily roundtrip patron?
- "9. Does the alternative provide no-transfer service to San Francisco International Airport?

A statement of the facts of the case is set forth in the attached exhibit. The statement is a summary of the facts as they are known to the District Attorney. It is not intended to be a final statement of the facts, but rather a statement of the facts as they are known to the District Attorney at this time. The statement is subject to change as more facts are discovered.

The statement is based on the facts as they are known to the District Attorney at this time. It is not intended to be a final statement of the facts, but rather a statement of the facts as they are known to the District Attorney at this time. The statement is subject to change as more facts are discovered.

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Commissioner Fleishhacker suggested that the question of timing should be a tenth area of concern to the staff in its analysis of the various alternatives. Since the need for increased transit service exists at the present time, a system which could be developed immediately would be preferable to a system which could not be developed for 50 years.

Commissioner Finn suggested that each of the alternatives should also be evaluated in terms of the availability of public financing for transit improvements as indicated in the transit financing study which is being made by the Metropolitan Transportation Commission.

STAFF RECOMMENDATIONS CONCERNING THE REGIONAL SUPPLEMENT OF THE NORTH CENTRAL COAST REGIONAL COMMISSION, DATED MARCH, 1975, AND THE PRELIMINARY COASTAL PLAN OF THE CALIFORNIA COASTAL ZONE CONSERVATION COMMISSION, DATED MARCH, 1975.

George A. Williams, Assistant Director-Plans and Programs, stated that the North Central Coast Regional Commission has scheduled a public hearing on the coastal plan for May 22, 1975, at City Hall. He then distributed and summarized a memorandum containing comments and recommendations concerning the Preliminary Coastal Plan and the North Central Coast Regional Supplement to the preliminary plan. The comments contained in the memorandum relative to the specific plan proposals for San Francisco were as follows:

- "a. The Coastal Plan recommendations for the GGNRA, the Presidio, Fort Miley, Seal Rock and Land's End, Fort Funston, and Lake Merced are consistent with city policies, though in some cases they are more detailed.
- "b. The Coastal Plan recommendation for the acquisition of a portion of Playland and the use of the balance of the site for coastal-related commercial recreation facilities are unobjectionable. The site has never been identified as a critical site for acquisition by existing city plans, however, there would be no conflict with existing policies if the land is acquired by GGNRA.
- "c. The call for the implementation of the Great Highway Plan should be endorsed.

[illegible][illegible]

- "d. In a report adopted by the City Planning Commission the city's proposed wastewater Management Plan was reviewed. Various sites for a major wet weather facility were evaluated and the Lake Merced site was identified as the most suitable. The Coastal Plan would permit the Lake Merced site to be used only if a superior site is not available. Although it would seem unlikely that one now exists, if a better site can be found, it should be supported. City policies did not address the issue of the reclamation and re-use of wastewater as did the coastal plan. However, if reclamation should prove feasible, it too should be supported. Remaining coastal plan policies concerning the treatment plant are consistent with the present city policies.
- "e. The plan recommends that the 100 foot height district across from the Zoo (approximately 200 feet wide along the Great Highway and 1000 feet along Sloat Boulevard) be reduced. This appears to be an application of the state-wide policy designed to prevent the erection of a "Great Wall of China" along the Coast. That policy seems misapplied to San Francisco. The height district in question was adopted to provide visual interest to the coast line. Development consistent with that height will not screen off the coastline from upland views. The specific height limit around the zoo might be of questionable wisdom, but that is a matter of local, not statewide, concern. The variety of heights which would now be permitted along the entire San Francisco coast provide the visual interest desired by city policies and the Coastal Plan. The level of zoning detail with which the Coastal Plan concerns itself does not serve to further statewide interests. Rather, it conveys the impression that localities will no longer be able to determine the details of urban character.
- "f. The recommendation for a San Francisco design review is also inappropriate. San Francisco has a design review process guided by Master Plan policies Zoning Ordinance administration, major project review and environmental review all deal with the design of proposed development. Efforts to implement urban design policies will continue to be made. In addition, the Residential Zoning Study will address the question of design. Except for the area immediately adjacent to the Great Highway the design quality of development in the Outer Sunset and Richmond does not in the judgment of staff affect enjoyment of the coast and therefore,

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is not a matter of state-wide concern. While quality of design is a legitimate issue, it should be resolved at the local level rather than being imposed by a state agency.

- "g. The Coastal Plan recommendation concerning the consistency of new development in San Francisco with nearby properties again raises the issue of appropriateness. The recommendation appears to be based on the policy that unique coastal communities should be protected by the state agency. But in the opinion of staff, the Richmond and Sunset are unique not because of their orientation to the Coast, rather because they are distinctive urban neighborhoods. The standards for the Richmond and Sunset should be sensitive to this uniqueness. However, the issue does not appear to affect a state-wide interest in the coast and should be left to local action. To the extent the Coastal Plan seeks to promote the accessibility of the coast to all people, the Coastal Plan recommendations may even be counter-productive. Over time a greater variety of development in the Sunset and Richmond could provide the level of diversity the Coastal Plan desires. In any event these issues, which are being addressed in the residential zoning study, are more appropriately treated as local issues and not as matters of state-wide concern.
- "h. The coastal zone in highly-developed San Francisco should be limited to areas with immediate coastal contact. Thus it should extend no farther than the current permit area, which is the same as the proposed critical resource zone, except with respect to issues where the conflict with state-wide interest in the coast is clear. Beyond the critical resource zone there simply is no rational basis for drawing the line between areas of coastal concern and areas which are more oriented to the urban whole. Of course, the Coastal Plan proposal to move the line somewhat west of the limit now permitted by Proposition 20 is more acceptable than maintaining the present state; however, the coastal zone should extend no further than the proposed critical resource zone.

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know if the study was successful in achieving its goals and if the data collected is reliable and valid. They also want to know if the study has contributed to the field of research and if it has provided any new insights or findings.

THE above is a list of the names of the persons who have been named in the above mentioned letter, and who are known to the undersigned as having been named in the same letter. The names are given in the order in which they were named in the letter, and are not necessarily in the order in which they were named in the letter.

"Coastal Regulation and Management

"The conservation and management of the coast is of vital importance to all the people of California. Some agency must continue this effort. In formulating the best governmental organization, the following principles should be kept in mind.

- "1. Whatever organization is evolved should not promote piece-meal planning. Not only should consistent policies apply along the whole coast but coastal planning should be integrated with interior planning. Creation of an agency which will promote comprehensive planning should be an important objective.
- "2. The future agency should have permit authority only within a narrow critical resource zone. Beyond this zone the primary role of any agency concerned with the coast should be to review local plan and action for any clear conflict with Coastal Plan policies. Thereafter, the specific implementation of the plan should be left to the locality and coupled perhaps with an appeal to the state agency on ground of clear misapplication of the approved plan."

During the course of the discussion which ensued, Commissioner Finn absented himself from the meeting room for the remainder of the meeting. At the conclusion of the discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the Director be authorized to appear at public meetings on the coastal plan to express the views contained in the memorandum. The Commission also authorized the Director to work with the staff of the Coastal Commission to modify the coastal plan and the Regional Supplement so as to make them consistent with the conclusions and recommendations contained in the memorandum.

PROGRESS REPORT ON RESIDENTIAL ZONING STUDY.

Robert Passmore, Planner V (Zoning), reported on the present status of the Residential Zoning Study. He stated that 16 neighborhood issues papers have been prepared and are available for public review. The next phase of the study will be consideration of the conceptual framework for zoning districts and an analysis of non-conforming uses, existing covenants and residential densities.

THE UNITED STATES OF AMERICA
DOPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D. C. 20250

MEMORANDUM FOR THE RECORD
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At the conclusion of his presentation, he responded to questions raised by members of the Commission.

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, May 29, 1975.

The City Planning Commission met pursuant to notice on Thursday, May 29, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Wayne Rieke, Planner IV (Zoning); Charles Gill, City Planning Coordinator; Alan Lubliner, Planner III; Edward Michael, Planner III; Linda Ferbert, Planner II; Ralph Gigliello, Planner II; Robin Jones, Planner II; Gary Craft, Planner I; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; George Rhodes represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

1:00 P.M.-FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on June 5, 1975.

2:15 P.M.- ROOM 282, CITY HALL

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the minutes of the meetings of May 1 and 15, 1975, and the corrected minutes of the meeting of April 17, 1975. be approved as submitted.

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that the Board of Supervisors, meeting on Tuesday, had voted to approve the re-zoning of properties on Capp and Bartlett Streets in the Mission District from C-2 to R-3.

The Director distributed copies of a Mission Neighborhood Plan which had been prepared by the staff of the Department of City Planning and indicated that a public hearing on the plan will be scheduled for June 26.

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

The Director reported that the staff had testified before the Regional Coastal Zone Commission last Thursday evening regarding elements of the draft Coastal Plan which affect San Francisco.

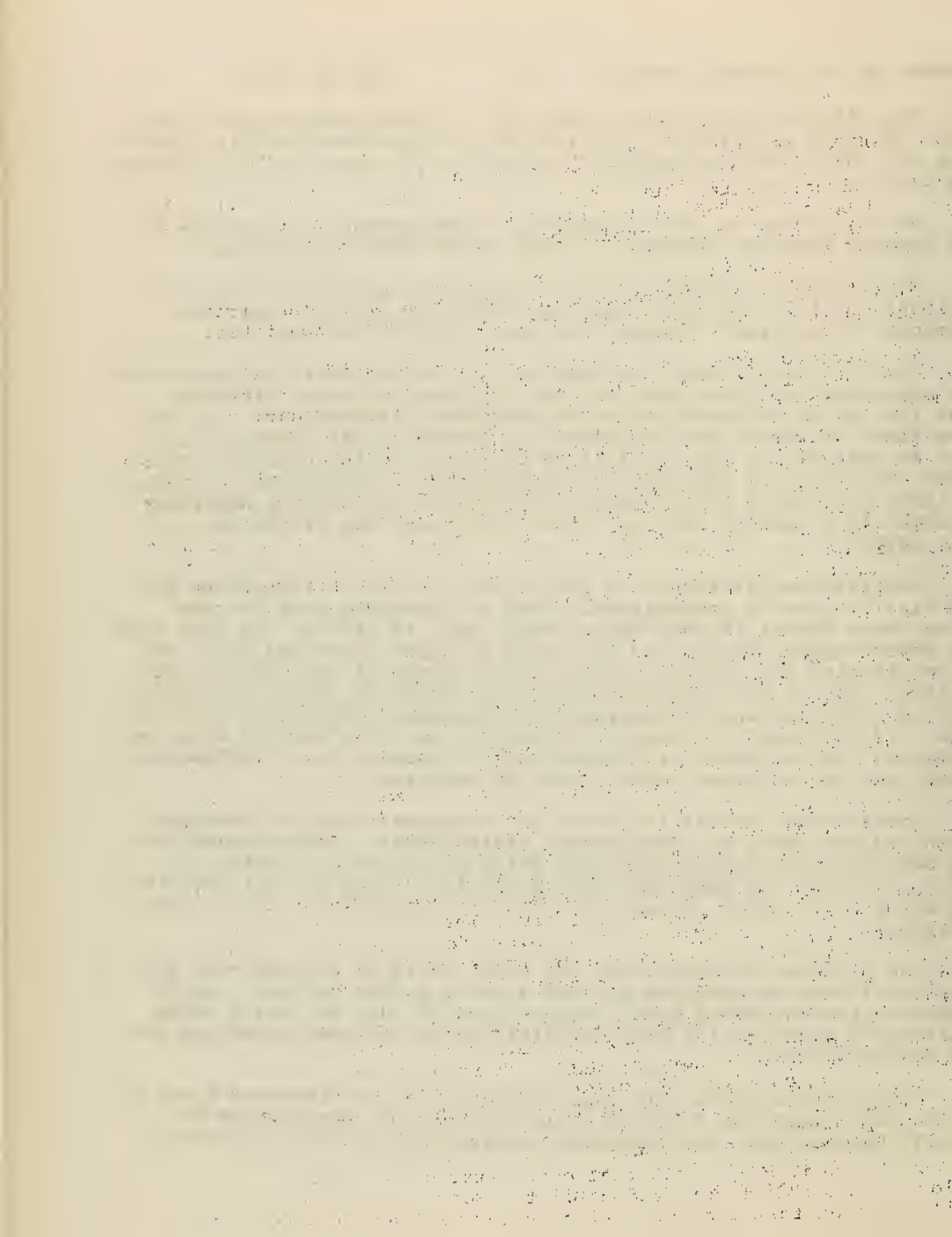
The Director advised the Commission that the Board of Supervisors has requested the Department of City Planning to review alternate uses for the Yerba Buena Center Redevelopment Project area. At the same time, the Board had requested the Redevelopment Agency to conduct an analysis of the possibility of financing the alternate uses. Since the Board had requested the department to be prepared to report on these matters in three weeks, he felt that it might be necessary to schedule a special meeting of the Commission for discussion of this matter.

Commissioner Fleishhacker felt that it would be impossible for the staff to make a professional study of alternate uses for the Yerba Buena Center in only three weeks; and, in view of the fact that the Redevelopment Agency and the Board of Supervisors had spent ten years bringing the project to its present state of uncertainty, he believed that it was unreasonable for the Board to expect the Department of City Planning to unscramble the situation in such a short time. If the Board of Supervisors wants a new plan for the area, he estimated that at least six months would be needed for a professional study; and, in addition, money would be required.

Commissioner Porter indicated her agreement with the comments which had been made by Commissioner Fleishhacker. She observed that the Department of City Planning was being placed in a position of having to "pull the chestnuts out of the fire"; and she believed that any study which might be made in only three weeks would not be professional.

The Director conceded that the staff could do nothing more than consider alternate concepts in such a short period of time; and he indicated that he would have a better idea of what the Board wants following a meeting with City officials which had been scheduled for the following day.

Commissioner Rueda felt that consideration of alternate types of development should be deferred until the Board of Supervisors has finally decided that the convention center will not be constructed.



At the conclusion of this discussion, President Newman announced that it was the consensus of the Commission that the Department of City Planning should be given adequate time to make a thoroughly professional review of possible alternate uses for the Yerba Buena Center if it is to be involved in this matter.

CONSIDERATION OF PERSONAL SERVICES CONTRACT TO CARRY
OUT PARKING MANAGEMENT STUDY.

Dean L. Macris, Director of Planning, reported on this matter as follows:

"On March 20th the City Planning Commission adopted Resolution No. 7305 authorizing the Director of Planning to execute a contract agreement for the Department of City Planning between the Metropolitan Transportation Commission (MTC) and the City and County of San Francisco, for the purpose of conducting a parking management study, and requesting that the Board of Supervisors approve the execution of the contract. The Board did approve the execution by resolution on May 5, 1975 and the Mayor approved it on May 6. The contract will be executed today after MTC's signature.

"As you may recall, the objectives of the San Francisco study will be:

- "1. to consider and attempt to minimize the effects of new parking facilities on area wide vehicle miles traveled, and to assure that the motor vehicle traffic associated with these facilities does not cause or exacerbate a violation of air quality standards; and
- "2. to develop a citywide parking plan that will implement and make more specific the objectives and policies of the Master Plan.

"After consulting with MTC, the department is recommending that we use the Department's share of the study monies to hire a staff consultant to assume responsibility for our work on the study. Accordingly, after considering various persons who might be qualified to assume the responsibilities of the job, I recommend to the commission that we hire Charna Staten as our staff consultant on this job. You have before you a resolution for your consideration which would authorize the Director of Planning to execute an agreement with Charna E. Staten to render technical or professional services in connection with preparation of the parking management plan.

The agreement would provide for payment of \$12,500 to the consultant for services rendered, and would be for a period of time not to exceed 10 months."

Commissioner Finn, noting that the draft resolution did not specify the amount of the proposed contract, suggested that the resolved clause of the draft resolution should be amended to specify that the amount of the contract should not exceed \$12,500. The Director agreed to make the recommended change in the draft resolution.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the revised draft resolution be adopted as City Planning Commission Resolution No. 7323.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

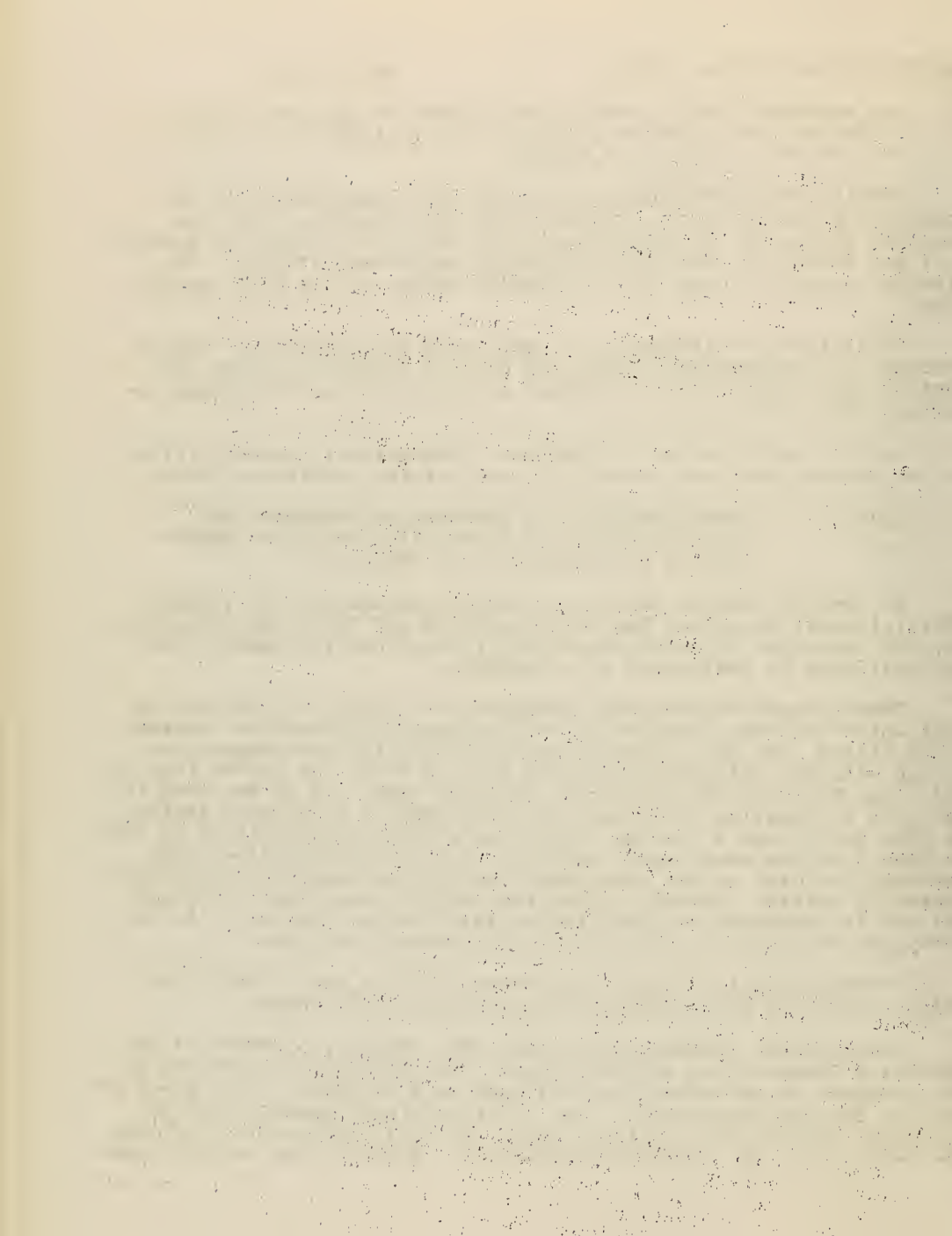
LM75.3 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE
MILLS BUILDING AND TOWER, 220 MONTGOMERY STREET
AND 220 BUSH STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) described the Mills Building and Tower and explained why the Landmarks Preservation Advisory Board had recommended that the buildings be designated as a Landmark.

Commissioner Fleishhacker remarked that page 3 of the case report which had been prepared by the Landmarks Preservation Advisory Board stated that the National Bank of D.O. Mills and Company was merged with the California National Bank in 1925. He stated that he had never heard of the California National Bank; and he wondered if the bank in question could have been the Bank of California instead. He also noted that a lengthy quote from a newspaper published in 1890 on page 6 of the case report referred to the existence of a stock exchange building on the site where the Pacific Coast Stock Exchange presently exists. However, since the Pacific Coast Stock Exchange was not in existence in 1890, the building being referred to in the newspaper article was probably the Sub-treasury Building

Edward Michael, Planner III, stated that he would check the points which had been raised by Commissioner Fleishhacker.

Commissioner Ritchie, noting that Dr. Shumate, a member of the Landmarks Preservation Advisory Board, had abstained from voting on the proposal to designate the buildings as a Landmark, asked about the reasons for his abstention. Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, replied that she did not know the reasons for Dr. Shumate's abstention. However, she remarked that



the owner of the buildings had indicated that he might appear before the City Planning Commission to oppose the designation.

Commissioner Ritchie remarked that the Mills Tower was constructed in the early 1930's; and he noted that many of the buildings in Downtown San Francisco which were constructed in the 1920's and 1930's have not been designated as landmarks. Under the circumstances, he wondered why the Mills Tower had been included in the Landmarks Preservation Advisory Board's recommendation for landmark designation. Mrs. Platt replied that the Mills Building and the Mills Tower are linked by a continuity of architecture; and she indicated that the Landmarks Preservation Advisory Board had viewed the buildings as a single development. The Citizens Federal Savings and Loan building on Market Street are comparable and may be designated as a landmark; and the Bank of California building on California Street have already been designated as a landmark.

Commissioner Porter remarked that Dr. Shumate may have abstained from voting on the proposed designation because of a belief that downtown buildings should be reviewed in a comprehensive way and that they should not be designated as landmarks on a piecemeal basis.

Mrs. Platt replied that the Landmarks Preservation Advisory Board has an informal policy of recommending designation of one downtown building for each residential building which is recommended; and that policy had been suggested by Dr. Shumate. She also remarked that Dr. Shumate feels very strongly that downtown buildings should be designated as landmarks before they are scheduled for demolition instead of allowing the threat of demolition to start the designation process.

Randolph Delehanty, representing the Foundation for San Francisco's Architectural Heritage, felt that Mr. Steele had given a very succinct explanation of why the Mills Building and Tower, one of San Francisco's most important business blocks, should be designated as a landmark. The tower itself is considered to be extremely important because it represents a unique technique of saving an older building of architectural and historic merit by constructing a new building on adjacent property.

Steven Swig, representing the owners of the subject property, stated that he believed that the Mills Building and Tower do have merit; and they have benefited their owners as well as the city as a whole. However, if the buildings were to be designated as a landmark, a Certificate of Appropriateness might be required whenever ground floor tenants wish to remodel or to change their signs; and, as a result, Landmark designation could place a financial burden on those tenants. Under the circumstances, he suggested that consideration be given to awarding the buildings a Certificate of Merit instead of designating them as a landmark. If the buildings were to

be awarded a Certificate of Merit, he assured the Commission that the owners of the building would continue to work closely with the Landmarks Preservation Advisory Board to preserve the integrity of the buildings.

President Newman asked if it were true that a Certificate of Appropriateness would be required if ground floor tenants in the buildings wished to change their signs after the buildings have been designated as a landmark. Mr. Steele replied in the affirmative, indicating that any exterior changes proposed would require a Certificate of Appropriateness. He emphasized, however, that action on the issuance of a Certificate of Appropriateness does not take a great deal of time. Requests for Certificates of Appropriateness are reviewed by the Landmarks Preservation Advisory Board which forwards its recommendation to the Director of Planning. The Director may then issue the Certificate of Appropriateness; or, if he feels that the request should be denied, he may take the matter before the City Planning Commission for final action.

Commissioner Fleishhacker observed that the ground floor of the Mills Building does not presently have the same appearance as it did when the building was constructed; and he asked if the resolution to be adopted by the Commission could exclude ground-floor signs from the Certificate of Appropriateness requirement.

Mrs. Platt felt that it was likely that signs for the Post Office on the ground floor of the Mills Building would be exempted from the Certificate of Appropriateness requirement because the Post Office is a Federal agency. She also felt that ground-floor spaces in the buildings could be more attractive in the future than they are at the present time.

President Newman inquired about the number of ground-floor tenants in the building. Mr. Swig replied that the buildings have six or seven ground-floor tenants.

Commissioner Porter asked if structural changes had been made when the Post Office was installed in the building. Mr. Swig replied in the affirmative, indicating that several structural changes have been made in the buildings.

Mr. Steele stated that it was the recommendation of the Director that the proposal to designate the Mills Building and Tower as a landmark be approved.

It was moved by Commissioner Ritchie and seconded by Commissioner Porter that the buildings be designated as a landmark. Commissioner Porter suggested, however, that the staff of the Department of City Planning and the Landmarks Preservation Advisory Board should give consideration to other downtown buildings which are worthy of being designated as landmarks.

Commissioner Fleishhacker asked if exterior painting of landmark buildings requires the issuance of a Certificate of Appropriateness. Mr. Steele replied in the negative, indicating that a Certificate of Appropriateness for exterior painting is required only when the landmark building is located in an historic district. President Newman and Commissioner Rueda indicated that they intended to vote for designation of the buildings as a landmark; however, they both expressed concern about the burden which the designation would place on the owner of the buildings.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7324 and to approve the proposal to designate the Mills Building and Tower as a landmark.

EE75.126 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY
THE DEPARTMENT OF CITY PLANNING FOR CON-
STRUCTION OF TWO SINGLE FAMILY DWELLINGS
AT 55 AND 59 BELGRAVE AVENUE.

Ralph Gigliello, Planner II, explained why the staff of the Department of City Planning had issued a negative declaration for the proposed development.

The Commission then received testimony from members of the audience including Albert Meakin, 100 Belgrave Avenue, David Hale, designer of the proposed buildings, and Charles Richard, 125 Belgrave Avenue.

The Secretary stated that he had received a telephone call from Alexander Riskin, 120 Belgrave Avenue, who felt that the proposed buildings would be incompatible with other houses on the street.

After discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Finn, and carried unanimously that Resolution No. 7325 be adopted with the following resolve:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the proposed project could not have a significant effect on the environment, and does hereby affirm the negative declaration issued by the Department of City Planning."

Mr. Steele stated that the letter which had been received from Mr. Meakin appealing the issuance of a negative declaration had also requested that the Commission conduct a discretionary review of the building permit application for the proposed buildings.

It was moved by Commissioner Porter and seconded by Commissioner Ritchie that the Commission proceed to conduct the discretionary review. When the question was called Commissioners Finn, Newman, Porter

and Ritchie voted "Aye"; Commissioners Fleishhacker and Rueda voted "No". Since the Rules and Regulations of the City Planning Commission provide that a vote of five members is required before an item which is not calendared can be discussed, the discretionary review could not be held during the present meeting.

It was then moved by Commissioner Ritchie and seconded by Commissioner Porter that the discretionary review be scheduled for the Commission's regular meeting on June 19.

Commissioner Rueda stated that he intended to vote against the motion since he felt that the Commission's discretionary authority should be used sparingly. He then asked for a staff recommendation as to whether a discretionary review of the building permit application for the buildings on Belgrave Avenue should be held.

Mr. Steele stated that the two buildings were designed so that they would have the appearance of a single building; and he did not feel that the buildings would have a detrimental effect on the neighborhood. Therefore, it was his recommendation that the discretionary review not be held.

President Newman asked for show of hands of individuals present in the audience who wished the Commission to undertake a discretionary review of the building permit application. Approximately 20 individuals responded. When the question was called, the Commission voted 4 to 2 to schedule a discretionary review of the building permit application for the two buildings on Belgrave Avenue on June 19, 1975. Commissioners Finn, Newman, Porter, Ritchie voted "Aye"; Commissioners Fleishhacker and Rueda voted "No".

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

R75.22 - OPERA HOUSE EXPANSION

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"Pursuant to Section 3.527 of the Charter, the subject Master Plan referral has been received from the Sponsors of San Francisco Performing Arts Center, Inc. under authorization from the War Memorial Board of Trustees.

"The Proposal

"The proposal is for construction of an addition adjoining the westerly side of the existing War Memorial Opera House which is located on the southerly one-half of Block 786A and which is bounded by Van Ness Avenue and Grove and Franklin Streets. The subject property is under the jurisdiction of the War Memorial Board of Trustees.

"The proposed addition will measure approximately 55 feet by 140 feet along the Franklin Street frontage. Its height will be about 62 feet above existing grade behind the Opera House. The addition will have four levels which are to be utilized as follows:

- "1. Basement level: Dressing rooms or other related uses as finally determined by the War Memorial Board of Trustees.
- "2. Main level: Production scenery storage immediately behind and at the level of the existing stage.
- "3. Second level: Choral and ensemble rehearsal space and offices.
- "4. Third level: Coaching rooms.

"Architecturally, the proposed addition will closely resemble the existing Opera House. The height of the addition will conform with the present cornice line of the Opera House. Also, design details and construction materials will conform as closely as possible with those of the existing facility.

"The proposal will displace 28 existing parking spaces behind the Opera House. The off-street parking area is also used at present for loading access to the Opera House; however, a new off-street loading area will be provided either on the Grove Street side or on the Fulton Mall side of the proposed addition. Sufficient area will be provided for large, tractor-trailer vehicles.

"The principal purpose of the addition is to accommodate a full opera season's scenery requirements. Presently, scenery is hauled in and out from the Indiana Street scenery storage warehouse each time a set is changed. A scenery storage facility was included in the original plan for the

Opera House at the location now proposed for the addition, but because of budgetary consideration the storage facility was eliminated from the plan.

"Review

"The Civic Center Plan sets forth several policies regarding future development of the Civic Center area which are applicable to review of the subject proposal:

- "1. Objective One, Policy 2: Maintain the formal architectural character of the Civic Center
- "2. Objective One, Policy 3: Design Civic Center buildings and open spaces to serve as public gathering places for ceremonial, cultural, recreation, and other community activities.
- "3. Objective Two, Policy 2: Locate civic cultural facilities in the Civic Center.

"The proposed addition to the present Opera House, as presented by the Sponsors, will be constructed in a manner and style which will carry forward the architectural character of the present structure; it will enhance the value of the Opera House as a place for performing arts in the Civic Center; and, the proposal will further reinforce the location of cultural facilities in the Civic Center.

"Additionally, the site on which the Opera House is located is designated under the Civic Center Plan as an appropriate location for "Entertainment-Culture" activities.

"Although the proposed addition will displace 28 off-street parking spaces, based on the Sponsor's estimate, the operational improvements gained through this proposal (reduced truck traffic, scenery storage, offices, and rehearsal space) would offset the loss of any existing benefits derived from the spaces. If the loading area is located to the north of the proposed addition, trucks could then use an existing on-site area for ingress and egress with minimum on-street vehicular conflicts.

"The proposed addition will extend nearly to the easterly right-of-way line of Franklin Street; however, the existing sidewalk width of approximately 9.5 feet will remain unchanged with construction of the proposed addition and some landscaping will be provided along this frontage.

"The addition will change the architectural symmetry that now exists between the Opera House and the Veteran's Building. Visually, this change will relate to the minor north-south axis along Franklin Street only. The major and more prominent east-west axis from Fulton Street to City Hall will be relatively unaffected. Because the addition will be setback from the northerly facade line of the Opera House, the sight line along the axis of the Fulton Mall will not be significantly altered or interrupted by the proposed addition.

"Although the Opera House is not a designated Landmark at this time, the procedure for its designation has been initiated. The Landmarks Preservation Advisory Board has found that the proposed addition is related appropriately to the existing Opera House and has recommended the issuance of a Certificate of Appropriateness.

"The addition relates only to operational improvements for the existing Opera House. All activities that are to be included within the addition are for the cultural enhancement of the performing arts as currently presented in the Opera House. Although, from a physical and visual point of view, there will be an increase in the bulk of the Opera House and an increase

in the amount of usable floor area, it is not expected that the addition will result in a significant external change in the relationship of the Opera House to activities currently underway or proposed in adjacent areas of the Civic Center."

Commissioner Porter remarked that the Art Commission generally has jurisdiction over any changes proposed for City-owned buildings in San Francisco; however, the Charter exempts the War Memorial complex from the authority of the Art Commission. Since the members of the Art Commission are professional people, she felt that it was unfortunate that they had not been involved in the review process instead of the Landmarks Preservation Advisory Board. She then asked about the estimated cost of the proposed expansion project. James Meyer, representing the Tudor Engineering Company, estimated that the project would cost between two million five hundred thousand dollars and three million dollars.

Commissioner Ritchie asked if the ornamentation on the west wall of the Opera House would be preserved. Mr. Meyer replied that the ornamentation would be preserved or reproduced in an identical material. However, the new facade would differ from the existing facade insofar as the loading door is being relocated to the north side of the Opera Building.

No one else was present in the audience to be heard on this matter.

Mr. Steele then made the following recommendation:

"It is recommended that the Director be authorized to report that the proposed addition to the westerly facade of the existing Opera House is in conformity with the Master Plan. It is suggested, however, that emphasis be placed on the use of materials which will be as close as possible to those of the present Opera House, the use of glass in window openings to the maximum extent feasible even where there is infilling behind the glass, and the design of stonework to retain the three-dimensional characteristics of the original construction; and to this end, further review of the elevations of the proposed structure would be desirable. Additionally, consideration should be given to including in the structural design of the addition sufficient strength to permit at some later time, construction of a modified mansard roof, similar to that of the existing building, which could further enhance the present Opera House."

After further discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report on this matter as recommended by Mr. Steele. Mr. Steele indicated that the staff would transmit the expansion proposal to the Art Commission for its review in accordance with the desire of the Commission.

CU74.50 - BELLE AVENUE, SOUTH LINE, OPPOSITE CHESTER AVENUE AND ST. CHARLES AVENUE, WEST LINE, 66.67 FEET SOUTH OF BELLE AVENUE.

REQUEST FOR AUTHORIZATION FOR A 250 SPACE PARKING LOT TO BE LOCATED PARTLY IN SAN FRANCISCO AND PARTLY IN DALY CITY; IN AN R-1 DISTRICT.

Dean L. Macris, Director of Planning, noted that this matter had been taken under advisement from the meeting of May 1, 1975, so that the staff of the Department of City Planning could meet with all of

of the various parties involved to see if a compromise could be reached. He then called on Alan Lubliner, Planner III, to report on what had transpired since the last meeting.

Mr. Lubliner stated that he and Richard Evans of the Traffic Engineering Bureau of the Department of Public Works had met with representatives from the neighborhood, from Daly City, from BART, from the Municipal Railway, and from Cal-Trans; and, as a result of the meetings, an alternative proposal had been developed which might be acceptable to all concerned.

Commissioner Finn stated that no representatives of the Municipal Railway had been invited to attend the meeting which was held with representatives of Daly City; however, he had learned of the meeting in advance and had been able to have a representative present.

The Director explained that no single meeting was held where representatives of all interested groups were present but that the Department of City Planning had met with the interested parties separately.

Mr. Lubliner then called on Mr. Evans to explain the alternative proposal which had been developed.

Mr. Evans explained that stage one of construction of the new BART parking garage is expected to be completed in approximately 26 weeks; and, at that time, the 250 surface parking spaces which would initially be lost could be restored. He also stated that Daly City had indicated a willingness to re-channel traffic on certain of its streets so that motorists driving from the south would be more encouraged to use John Daly Boulevard for access to the BART station than St. Charles Avenue. Consideration had been given to providing access to the proposed interim parking lot from Junipero Serra Boulevard or from an adjacent Southern Freeway ramp; but it was decided that access from Junipero Serra Boulevard would be too dangerous and that access from the freeway ramp would involve major construction work which would be too expensive. The possibility of using other sites for the interim parking had also been discussed. One of the alternative sites considered was the BART storage yard; but that site would be used by the contractor for storage of supplies during the first phase of the garage construction project. The possibility of removing parking restrictions on John Daly Boulevard and De Long Street had been discussed with Daly City; and, if parking were to be allowed on those streets, it might be possible to reduce the number of off-street parking spaces in the interim parking lot from 250 spaces to 150 spaces. A big State-owned lot at the extreme westerly end of John Daly Boulevard could be used instead of the

subject site for the interim parking lot; however, use of that property would require grading and development of an access road, as well as bus service to the BART Station; and the expenses involved did not seem warranted in view of the fact that the parking lot would be needed for only 26 weeks. Consideration had also been given to the possibility of closing St. Charles Avenue at the county line. If the street were to be closed, a hearing on the proposal for closure would have to be held by the Director of Public Works; and his recommendation for closing of the street would have to be approved by resolution of the Board of Supervisors. In addition, an alternate bus route would have to be developed for the Municipal Railway if the street were to be closed.

Commissioner Fleishhacker expected that people would still continue to use St. Charles Street for access to the BART Station unless the bridge is closed in spite of other changes which might be made to improve access to the BART Station.

Commissioner Finn pointed out that St. Charles Avenue provides the best access to the BART Station for San Francisco residents who live to the west of Junipero Serra Boulevard.

A member of the audience asked when construction of the new BART parking garage would commence. Mr. Lubliner replied that construction of the garage is scheduled to start in October.

Commissioner Finn stated that he was primarily concerned about access to the BART Station for the No. 91 Municipal Railway bus; and he asked if any consideration had been given to placing short-term parking restrictions on St. Charles Avenue. Mr. Evans replied that the establishment of short-term parking on St. Charles Avenue would have to be discussed with residents of the neighborhood since they and their visitors would be inconvenienced by such a restriction. Furthermore, while a short-term parking restriction would discourage commuters from parking on the street, it would not have any effect on the volume of through traffic using the street.

Mr. Lubliner stated that the alternative being proposed by the staff of the Department of City Planning was to approve the conditional use application for a limited time related to the first phase of the garage construction project. The staff would also recommend that the interim parking lot have a gravel surface instead of a permanent asphalt surface and that existing landscaping on the site should be maintained. In addition, special arrangements would have to be made for the 91 Municipal Railway bus which has been approved as a pilot project by the Public Utilities Commission for a period of one year.

Commissioner Finn stated that the 91 test line has been in operation for only 60 days; and no meaningful evaluation of the service can be made until the line has been in operation for at least 6 months. Under the circumstances, he urged that any action taken by the Commission with regard to St. Charles Avenue should provide for the retention of access to the BART Station along St. Charles Avenue for Municipal Railway vehicles.

David Rowe, City Manager of Daly City, stated that he had met with the staff of the San Francisco Department of City Planning and had agreed to remove the "no parking" restrictions from portions of De Long Street, to evaluate the feasibility of providing parking spaces within the right-of-way of John Daly Boulevard, to cooperate in the closing of the St. Charles Avenue bridge which is under San Francisco jurisdiction, and to refrain from installing a permanent asphalt pavement on the interim parking lot. However, certain differences of opinion still existed. For instance, the staff of the Department of City Planning had referred to the first phase of construction of the new BART garage as a 26 week project. However the contract between BART and Daly City defined phase I of the construction program as the phase in which 800 parking spaces would be provided; and the facility with 800 parking spaces would take considerably longer than 26 weeks to complete. Furthermore, it would not be economically feasible for Daly City to develop an interim parking lot on the subject site if it were to be used for only 26 weeks. Also, the staff of the San Francisco Department of City Planning had recommended that the interim parking lot be reduced from 250 parking spaces to 150 parking spaces; and, if that recommendation were to be followed, the 150 spaces could be provided on the land which is located within Daly City without any action being taken by the San Francisco City Planning Commission. He therefore requested that the Conditional Use Application be approved for a 250 space interim parking lot which would be permitted to operate for approximately 58 weeks.

Mr. Lubliner explained that he and Mr. Evans had met with representatives from Mr. Rowe's office and not with Mr. Rowe himself; and, as a result, he had not been aware of the discrepancy in interpretation of the construction phases for the garage. The position of the staff of the Department of City Planning was that the interim lot should be used only until such time as the surface parking spaces which are removed from the BART lot for the construction project can be replaced; and they had been advised by BART that the spaces could be replaced approximately 26 weeks after construction has commenced.

Commissioner Finn asked how decreasing the number of parking spaces in the interim lot from 250 to 150 would affect commuter parking on St. Charles Avenue. Mr. Lubliner replied that parking

demand in the area is greater than the interim lot could accommodate in either case; and he believed that the only way to solve the parking problem on St. Charles Avenue would be to encourage more people to use public transit vehicles to get to and from the BART Station.

The Director remarked that he had been under the impression that Commissioner Finn had stated during the meeting of May 1 that it would be possible for the Municipal Railway to reroute the bus which presently uses St. Charles Avenue for access to the BART Station. Commissioner Finn stated that he personally felt that St. Charles Avenue is a poor transit street. However, alternate routes would be very circuitous. He stated that bus service on St. Charles Avenue had not been in operation long enough to be properly analyzed; and he suggested that any action taken by the Commission should allow the Municipal Railway to continue to use St. Charles Avenue for at least six more months.

The Director stated that he had asked the question because the recommendation which had been formulated by the staff of the Department of City Planning would include a recommendation for closing St Charles Avenue for all but emergency vehicles.

Commissioner Finn stated that he was aware of the problems involved; however, he felt that the closing of St. Charles Avenue should only be considered as a last resort.

Mr. Steele stated that it was the recommendation of the Director of Planning that the Conditional Use Application be approved subject to the four following conditions:

- "1. This use is authorized only for a period of construction of the first phase of the permanent BART parking structure; the use shall commence no earlier than two weeks before construction begins and shall terminate no later than two weeks after completion of the first phase contract.
- "2. In keeping with the temporary nature of the use, improvement of the property shall be limited to saving the existing landscaping or moving it to give better protection to neighboring residences, and the lot shall not be paved with a permanent material, but may be surfaced with gravel rather than asphalt.

- "3. Access to the lot shall be entirely through the BART station via the bridge to St. Charles Avenue from the south and St. Charles Avenue shall be blocked to all but emergency vehicles just north of the entrance to the lot.
- "4. This authorization is subject to working out a suitable arrangement to accommodate Muni Railway service to the BART station."

President Newman asked if the conditions which had been recommended by the staff of the Department of City Planning would be acceptable to the applicant.

Mr. Rowe replied that conditions 2, 3, and 4 would be acceptable but that condition number 1 would be unacceptable because it would not be economically feasible to install the temporary parking lot if it were to be used for only 26 weeks.

Walter Prenn, owner of the subject property, stated that he used to operate a nursery on the site but had been forced out of business after the freeways had been constructed and his property had been landlocked. He emphasized that opposition to the proposed parking lot would not help to solve the traffic problem on St. Charles Avenue. He also felt that it should be possible to provide access to the temporary parking lot directly from Junipero Serra Boulevard.

Mr. Steele explained that Mr. Evans had stated that it would be possible to have direct access to the parking lot from Junipero Serra Boulevard but that such access would be unsafe.

Jack McLean, 379 Chester Avenue, stated that he did not understand why the Municipal Railway bus could not gain access to the BART Station by way of Brotherhood Way, Junipero Serra Boulevard and John Daly Drive instead of using St. Charles Avenue. Commissioner Finn replied that the staff of the Public Utilities Commission felt that they would be able to provide better service to the public by using the St. Charles Avenue route.

Commissioner Fleishhacker asked how it would be possible to close St. Charles Avenue to all vehicles except emergency vehicles. Mr. Steele replied that a traffic controller would have to be stationed in the area to make sure that private vehicles do not use St. Charles Avenue.

Commissioner Porter asked if the staff was recommending that the interim parking lot could be developed with 250 parking spaces. Mr. Steele replied that a lesser number of parking spaces would be appropriate depending on the number of on-street parking spaces which can be made available in Daly City.

Commissioner Porter then observed that it seemed to her that everything which had been suggested would, in effect, aggravate the traffic situation on St. Charles Avenue.

Commissioner Ritchie agreed with Commissioner Porter. While he appreciated the staff's effort to work out a compromise solution to the problem, he felt that it was obvious that use of the subject property for parking under any conditions would have an extremely detrimental effect on the adjacent residential area. He stated that he had driven around the neighborhood and had seen a number of vacant parcels of land; and he felt that other solutions could be found to the temporary parking problem which would not involve use of the subject property.

President Newman asked if residents of St. Charles Avenue would be able to get in and out of the area if the street were to be blocked. Mr. Steele replied in the affirmative, indicating that they would be able to enter the street from the north since only the south entrance to the street would be blocked.

The Director stated that the objectives of the staff were to make sure that the proposed use will be temporary in nature and that any improvements installed on the lot will be minimal. Representatives of BART had stated that 250 parking spaces would be replaced on BART property at the end of the first 26 weeks of the garage construction project; and he felt that it was extremely important to limit the conditional use authorization to that period of time. If any extension of that time limit were proposed, he would recommend that the conditional use application be disapproved.

Mr. Rowe acknowledged that the 250 parking spaces would be replaced at the end of the first 26 weeks of the construction project; however, he stated that it would not be economically feasible to develop the property as a parking lot for such a short period of time. In response to a question raised by Commissioner Fleishhacker, he replied that the parking lot would not be economically feasible unless it were approved for a minimum of one year.

The Director asked what type of improvements Daly City intended to install on the property. Mr. Rowe replied that the proposal was to install a non-permanent surfacing material, fencing, lighting and landscaping.

MAY 29, 1975

Commissioner Rueda remarked that Condition No. 1 of the draft resolution which had been prepared by the staff was too vague; and he suggested that the language of the condition should be modified to indicate that the authorization would be in effect for no more than one year. He then moved that the language be modified accordingly and that the resolution be adopted.

Commissioner Fleishhacker stated that he, also, felt that a one year time limitation would be appropriate; and he seconded Commissioner Rueda's motion.

Commissioner Porter stated that she would vote against the motion since she did not feel that the Commission should authorize a 250 stall parking lot in the subject residential neighborhood. She remarked that the Department of City Planning is increasingly formulating proposals for parking bans in San Francisco; and, under the circumstances, she did not feel that the Commission should be sacrificing the quality of residential streets to accommodate vehicles driven by commuters from Daly City. Furthermore, if the subject application were to be approved, she was not convinced that the facility would not eventually become a permanent installation.

Commissioner Ritchie stated that he concurred with the remarks which had been made by Commissioner Porter.

Commissioner Fleishhacker stated that he was primarily concerned about reducing traffic and parking congestion in downtown San Francisco; and he observed that Daly City commuters will be encouraged to drive their automobiles downtown if they cannot find parking spaces in the vicinity of the BART station.

Commissioner Rueda felt that the city of San Francisco was responsible for creation of a "monster" in the form of the BART terminal in Daly City; and he felt that the subject neighborhood, like numerous other neighborhoods in San Francisco which had been imposed upon during the course of BART construction, could endure the temporary inconvenience which would be caused by the parking lot, which he regarded as a necessity.

Commissioner Finn agreed with Commissioner Rueda, noting that BART had originally wanted to demolish housing in San Francisco for the terminal but had been persuaded by San Francisco to build the terminal on vacant property in Daly City.

President Newman agreed that temporary inconveniences are sometimes necessary in order to achieve the best possible solution to a problem.

MAY 29, 1975

When the question was called, the Commission voted 5 to 2 to adopt the modified draft resolution as City Planning Commission Resolution No. 7326. Commissioners Finn, Fleishbacker, Newman, and Rueda voted "AYE"; Commissioners Porter and Ritchie voted "NO".

PRESENTATION OF REPORT ON INDUSTRIAL TRENDS.

Dean L. Macris, Director of Planning, presented this report which is the first of a series of reports containing background information which will be used in preparation of a Commerce and Industry Element of the Comprehensive Plan. He asked the Commissioners to read the report; and he indicated that he would be pleased to answer any questions which they might have regarding it at a future Commission meeting.

The Meeting was adjourned at 5:10 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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Minutes of the Regular Meeting held Thursday, June 5, 1975.

The City Planning Commission met pursuant to notice on Thursday, June 5, 1975, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); William Duchek, City Planning Coordinator; Alan Billingsley, Planner II; Robert Feldman, Planner II; and Lynn E. Pio, Secretary.

Ralph Craib represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported that the Board of Supervisors, meeting on Monday, had approved the proposals to designate Lotta's Fountain and the Frank M. Stone House as Landmarks. An appeal of the Commission's disapproval of a Conditional Use Application for an automobile wrecking yard at Quint and Custer Streets was withdrawn.

Selina Bendix, Environmental Review Officer, presented and summarized a memorandum on Office of Environmental Review procedures for sites of potential archaeological and historical interest. The memorandum, which had been prepared in response to a question raised by Commissioner Fleishhacker, read as follows:

"When an EIR has been required and once a consultant has been retained by the project sponsor, the staff of the Office of Environmental Review transmits a copy of the Format and Guidelines for Material Required for a Draft Environmental Impact Report to the consultant.

"Item III of the suggested outline deals with the Environmental Setting of the proposed project. The consultant is instructed to include information on cultural, historical or scenic aspects of the site and surrounding properties. In order to do this, the consultant usually contracts with appropriate experts for field surveys. For example, in the preparation of the EIR before the Planning Commission on today's

calendar, EE74.140: Howard and Main Office Building, the consultants at Environmental Impact Planning Corporation contacted Mr. Harlan Soeten, Curator of the San Francisco Maritime Museum. Because much construction takes place in areas of historic fill, Mr. Soeten is frequently called upon: the old waterfront left behind many historic relics.

"Item IV of the suggested outline deals with the Environmental Impact of the Proposed Action. Where archaeologic or historical artifacts are known to exist or professionally judged as likely to be discovered, the possibility of a significant discovery is discussed.

"Mitigation measures are then presented under Item V of the suggested outline (Mitigation Measures Proposed to Minimize the Impact). The staff of the Office of Environmental Review requires the adoption of the following statement:

'If any material of potential archaeologic or historical impact should be found on the site, the contractor will be legally bound by its contract to stop construction to permit professional evaluation of the find.' (See for example, P. 56, Par. 7 of EE74.140, Howard and Main Office Building).

"Where a known archaeologic or historical site of significance exists, further mitigating measures may be required. It may be appropriate for qualified professionals personally to guide excavation and construction activities, or for such individuals to be retained on call in the event of a significant discovery. In the latter case, construction workers would be instructed prior to the start of work, so that the workers might be expected to recognize valuable artifacts.

"Staff of the Office of Environmental Review presently are working with Mr. James Heid, Consulting Archaeologist. The goal of this work is to produce a sensitivity map for potential archaeologic and historical finds, to be used by staff and consultants working on projects in sensitive areas."

At this point in the proceedings, Commissioner Finn arrived in the meeting room and assumed his seat at the Commission table.

Dean L. Macris, Director of Planning, reported that two billboard companies had filed an appeal with the Board of Permit Appeals challenging the Zoning Administrator's refusal to consider applications for variances to remove the termination dates for billboards along freeways. The Zoning Administrator had taken his action pursuant to an opinion from the City Attorney. The Board of Permit Appeals hearing is tentatively scheduled for June 16.

The Director stated that he intends to present a status report on plans for the Northern Waterfront during the Commission's meeting on June 19. He noted that the Mayor had recently asked him to coordinate planning efforts on the Waterfront; and he indicated that he had met with representatives of

the Port Commission during the interim. He recommended that members of the Port Commission be invited to the meeting on June 19. Commissioner Porter suggested that the status report should be rescheduled if the members of the Port Commission cannot attend the meeting on June 19.

The Director informed the Commission that the Department of City Planning had been contacted regarding a proposed office-park complex to be developed at Candlestick Cove. He stated that the proposal would involve 1,000,000 square feet of office space in two 15-story office buildings and two three-story office buildings, a 275 unit hotel, related commercial uses, and between 2,000 and 3,000 surface parking spaces. Although the Department does not yet have any official plans on file, he had sent a letter to the developer indicating that the concept which had been proposed would require a change of the present M-1 zoning of the property and a modification of the existing 40-foot height limit. In addition, the Master Plan calls for residential development in the Candlestick Cove area; and he continued to feel that at least a portion of the site should be developed with residential uses. The letter had also outlined procedures to be followed during the environmental review and zoning review processes. The Director remarked that meetings had been held in the subject neighborhood concerning the proposed project; and it was his understanding that residents of the neighborhood had expressed interest in the development of a shopping center. However, it seemed to him that a project of the size of the one being proposed would best serve the community if it would offer mixed uses, including housing.

Commissioner Fleishhacker expressed concern about a newspaper report that a Superior Court Judge had rendered an opinion that an Environmental Impact Report must be prepared before a demolition permit can be issued for the House of the Flag, a designated Landmark. The Director stated that he had not had an opportunity to read the opinion but indicated that he would look into the matter and report on it at an early date.

President Newman announced that he had received a letter from Bernard Averbuch, Executive Director of the Market Street Development Project, inviting members of the Commission to an observance of the 30th Anniversary of the founding of the United Nations at the site of the new United Nations Plaza, 7th and Market Streets, at noon on Thursday, June 26.

CONSIDERATION OF RESOLUTION AUTHORIZING DIRECTOR OF PLANNING TO APPLY FOR FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION FUNDS.

Dean L. Macris, Director of Planning, stated that the Economic Development Administration had indicated that a grant in the amount of \$75,000 would be available to San Francisco; and Mayor Alioto had written a letter requesting him to apply for the grant.

George A. Williams, Assistant Director - Plans and Programs, stated that the staff of the Department of City Planning is preparing a Commerce and Industry Element for the Comprehensive Plan; and money from the EDA grant

would enable the Department to hire three additional employees to work on an economic development program which could be published at the same time as the draft of the Comprehensive Plan Element. In addition, the grant would enable the hiring of one additional person for the Mayor's Office of Economic Development to work towards implementation of the city's economic development policies.

During the course of Mr. Williams' presentation, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director recommended adoption of a draft resolution which he had prepared which contained the following resolve:

"BE IT RESOLVED, That the Director of Planning be authorized to make application to the Economic Development Administration of the United States Department of Commerce in order to receive certain economic development planning grant funds which will be used in the preparation of strategy and programs for the Commerce and Industry Element of the San Francisco Master Plan. The Director of Planning shall be further authorized to utilize the funds granted the Department of City Planning for this purpose."

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7327.

EE74.140 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR A 13-STORY OFFICE BUILDING PROPOSED FOR THE NORTHEAST CORNER OF HOWARD AND MAIN STREETS.

Ralph Gigliello, Planner II, summarized the Environmental Impact Report.

No one in the audience wished to address the Commission on this matter.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that it was the recommendation of the Director of Planning that a draft resolution with the following resolves be adopted:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby find that the Final Environmental Impact Report, dated June 5, 1975, concerning HOWARD AND MAIN OFFICE BUILDING is adequate, accurate and objective, and does hereby CERTIFY THE COMPLETION of said Report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, That the Commission in certifying the completion of said Report does hereby find that the project as proposed will not have a significant effect on the environment."

After discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7328.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

ZM75.4 - CALIFORNIA & SPRUCE STREETS, NORTHEAST CORNER.
R-4 TO A C-2 DISTRICT. (POSTPONED FROM MEETING OF
MAY 1, 1975).

CU75.21 - SPRUCE STREET, EAST LINE, 92.594 FEET NORTH OF CALIFORNIA
STREET.
REQUEST FOR AUTHORIZATION FOR AN ACCESS DRIVEWAY TO PROPERTY
AT THE NORTHEAST CORNER OF CALIFORNIA AND SPRUCE STREETS.
(POSTPONED FROM MEETING OF MAY 1, 1975).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the following letter dated April 30, 1975, and signed by G. J. Sandstrom of the MacDonald Products Company, had been received in the offices of the Department of City Planning on May 3:

"In accordance with our telephone conversation of yesterday, kindly remove our application from the agenda which is to be heard May 1 at 3:00 p.m.

"MacDonald Products Company controls this parcel of land under an agreement to purchase contract. Without our written permission nor that of the owner no one is authorized to file applications or to direct instructions through your offices relevant to any further zoning applications, including but not limited to Continental Services Company and the Bank of America.

"We hope that the decision we made to withdraw this application will not complicate any matters in the future, but to the contrary, will act in our favor and demonstrate our good faith in bringing to the community a harmonious use for this property.

"Thank you for your many courtesies and kind consideration afforded MacDonald Products Company in this matter."

Dean L. Macris, Director of Planning, recommended that the request for withdrawal of the two applications be approved.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No.7329 be adopted and that request for withdrawal of application ZM75.4 be approved.

Subsequently, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7330 be adopted and that the request for withdrawal of application CU75.21 be approved.

CU75.23 - 2861 SACRAMENTO STREET, SOUTH LINE, 107.50 FEET EAST
OF DIVISADERO STREET.
REQUEST FOR AUTHORIZATION FOR PROFESSIONAL OFFICES
FOR PSYCHIATRISTS; IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 27.5-foot frontage on Sacramento Street and a depth of 127.7 feet for a total area of 3,512 square feet. The property is occupied by a two-flat building; and the applicant proposed to convert the six-room flat on the ground floor to professional offices for three psychiatrists and one receptionist. The second floor flat would be maintained as a residential unit for the owner. No off-street parking would be provided, although one leased garage space would be maintained within the neighborhood for the residential unit. No significant physical alterations would be required for the proposed use. In conclusion, Mr. Steele stated that a negative declaration had been issued by the Department of City Planning on April 11, 1975, and was in effect.

President Newman stated that the Commission had received several letters from residents of the neighborhood endorsing the proposed use.

David Travers, the applicant, stated that the psychiatrists who intended to rent his flat would prefer to practice in a residential environment rather than in a commercial area. He indicated that no off-street parking spaces are available on his property. However, off-street parking spaces could be arranged in the area for the psychiatrists. Their patients would have to use on-street parking spaces; but such spaces are generally available during daytime hours.

Commissioner Rueda asked if an agreement had been signed with the prospective tenants of the flat. Mr. Travers replied in the negative but indicated that the psychiatrists had expressed interest in renting the flat if the Conditional Use Application is approved by the Commission.

Fred Hirth, owner of a three-unit building at 2853 Sacramento Street, stated that he had no objection to the proposed use.

Mrs. Sack, 2914 Sacramento Street, felt that the proposed use might have an impact on parking in the subject neighborhood.

Mr. Steele remarked that the subject property is located in an area of the city which has several major hospitals, numerous medical office buildings, and substantial commercially zoned property which could accommodate the proposed professional offices. Introduction of professional offices on Sacramento Street, which is a quiet residential street, would increase the level of activity and

would increase the competition for the limited number of parking spaces in the area to the detriment of residents of the area. The proposed use would remove a large housing unit from residential use, in opposition to an adopted principle of the Master Plan. Furthermore, the applicant had not demonstrated that the proposed use would be necessary or desirable for, and compatible with, the neighborhood or the community as required by the City Planning Code. Therefore, it was the recommendation of the Director of Planning that the application be disapproved.

Commissioner Porter remarked that psychiatrists see only one patient an hour; and, under the circumstances, she felt that the proposed occupancy would be more innocuous than occupancy of the dwelling unit by medical doctors. She was also disturbed by the staff's position that it was important to reserve the subject dwelling unit for family housing.

Mr. Travers stated that the dwelling unit has been vacant for a considerable period of time; and the only prospective tenants he had found, other than the psychiatrists, were three airline stewardesses and four bachelors. He felt that it would be desirable from a security standpoint to have the psychiatrists on the premises during daytime hours when he is at work; and, during the evening hours, he would be afforded privacy because the flat would be uninhabited.

President Newman asked if other medical offices exist in the subject block at the present time. Mr. Steele replied in the negative.

Commissioner Ritchie remarked that use of large dwelling units in older buildings for professional offices sometimes contributes to the preservation of such buildings; and he felt that the applicant's apartment would make desirable office space for a group of psychiatrists who do not wish to be housed in a large medical office building. With regard to the parking issue, he noted that occupancy of the apartment by three or four unrelated persons or by a family with teenage children could generate as great a demand for on-street parking spaces as the proposed occupancy. He stated that he drives past the subject property every day; and he felt that the subject block would be an appropriate location for the type of use being proposed. Therefore, he moved that the application be approved. The motion was seconded by Commissioner Porter.

Commissioner Finn, noting that the case report which had been prepared by the staff of the Department of City Planning stated that one off-street parking space for each 300 square feet of occupied floor area must be provided on the property or within 400 feet of the site, asked how many off-street parking spaces would be required for the proposed use. Mr. Steele replied that he could not answer Commissioner Finn's question precisely; however, he estimated that between three and five off-street parking spaces would be required.

Commissioner Rueda remarked that housing units such as the one presently under consideration are needed for families with children; and they are becoming increasingly difficult to find. Commercial uses exist on Divisadero Street;

however, no commercial uses had been authorized in the subject block of Sacramento Street. He felt that authorization for the psychiatric offices would lead to deterioration of a good residential block.

Commissioner Fleishhacker remarked that conditional use authorizations for non-residential uses in residential districts should be permitted only under extraordinary circumstances and for the benefit of the immediate neighborhood or the community as a whole. If Commissioner Ritchie were correct in his opinion that the subject block would be appropriate for professional offices, then the entire block should be rezoned for commercial use. However, as long as the block is zoned for residential use, the Commission should not authorize commercial uses unless a strong case is made that a particular use would benefit the neighborhood or the community and not merely the owner of the property.

Commissioner Porter did not think it was fair to theorize that the entire block should be rezoned for commercial use merely because occupancy of the subject flat by a group of psychiatrists who would see only one patient an hour seemed to be appropriate. Furthermore, she doubted that the flat would ever be occupied by a family with children as envisioned by Commissioner Rueda because of the probable rental cost; and, if the application were to be disapproved by the Commission, she believed that the flat would probably be occupied by several unrelated individuals who would share the rent.

Commissioner Ritchie, in rebuttal to Commissioner Rueda's description of the block as a fine residential area, pointed out that Sacramento Street carries a heavy amount of traffic; and he felt that it could not be regarded as a good area for raising children. He agreed with Commissioner Porter that psychiatrists' offices should be considered differently from other medical offices; and, although most of the properties in the subject block of Sacramento Street are developed with residential uses, he pointed out that there is a very active bar on the corner of Sacramento and Divisadero Streets. In his opinion, the neighborhood is better suited for commercial uses of the type proposed than for family residential use. In conclusion, he remarked that a requirement for provision of off-street parking spaces on the site would result in the destruction of the handsome facade of the building.

Commissioner Rueda observed that prospective tenants have usually attended Commission meetings when conditional use authorization is sought for commercial use of residentially zoned property; and, since the prospective occupants of the subject apartment were not present, he assumed that the applicant was seeking conditional use authorization solely for the purpose of making more money from his flat.

Dr. Stahl, a psychiatrist, stated that his office is located in a Victorian home on Scott Street; and he indicated that he supported the subject application. He remarked that large medical office buildings tend to dominate the neighborhoods in which they are located; and he felt that scattered offices in residential buildings can be assimilated easier. He noted that the medical

office building at Children's Hospital has a waiting list. Therefore, unless applications such as the one presently under consideration are approved by the Commission, he expected that pressures would build for construction of a major new medical office building in the neighborhood.

Mr. Travers stated that two of his prospective tenants were Dr. Richard Steele, 400 Parnassus Avenue, and Dr. Leonard Glass, 1499 Masonic Avenue. No commitment had yet been made for a third occupant.

When the question was called, the motion failed by a vote of 2 - 5. Commissioners Porter and Ritchie voted "AYE"; Commissioners Finn, Fleishhacker, Mellon, Newman, and Rueda voted "NO".

Subsequently it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried 5 - 2 that Resolution No. 7331 be adopted and that the subject application be disapproved. Commissioners Finn, Fleishhacker, Mellon, Newman, and Rueda voted "AYE"; Commissioners Porter and Ritchie voted "NO".

CU75.24 - 1916 BRODERICK STREET, EAST LINE, 77.5 FEET SOUTH OF
SACRAMENTO STREET.

REQUEST FOR AUTHORIZATION TO CONTINUE AN EXISTING
RESIDENTIAL CARE FACILITY; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 27.5 feet on Broderick Street and a depth of 87.5 feet for a total area of 2268.75 square feet. The building occupying the site is presently used as a residential care facility for a maximum of 21 persons under the conditional use authorization which was granted by the Commission on June 27, 1974, for a period of one year. When the matter had previously been considered by the Commission, several residents of the neighborhood had expressed objection to the use; and, as a result, the Commission had placed a one year limit on its authorization so that it would have an opportunity to review the matter again at the expiration of that time to determine whether the objections had been overcome.

Charles Turner, representing the applicant, acknowledged that a number of complaints had been registered concerning the use when the matter had initially been considered by the Commission. During the interim, however, the applicant had met with residents of the neighborhood and it appeared that all of the objections had been resolved. He stated that only 15 persons are presently housed in the facility.

Robert Cole, representing a college preparatory school which is located one-half block from the subject site, stated that students of his school had experienced minor problems because residents of the subject facility have accosted students with off-color language and stories about their colorful background. As a result, he had suggested that girls from the school should

confine themselves to the other side of the street. While no major problems had yet resulted, he felt that there was a potential danger of such an incident occurring; and, while he was not prepared to recommend that the residential care facility be discontinued, he felt that the facility should be monitored very carefully.

President Newman asked Mr. Cole if he had ever had an occasion to call the police regarding the activities of residents of the residential care facility. Mr. Cole replied in the negative.

The son of the applicant stated that he knew nothing about the nature of the school which Mr. Cole represented; but he remarked that some of the students attending the school use very belligerent language themselves. He stated that the building owned by his mother is a Victorian type of structure not unlike other buildings in the block; and he indicated that the building and grounds are well maintained. In fact, he and his neighbor are the only ones in the block who had planted trees on their property. When the matter was last considered by the Commission, a number of people had been present to speak in opposition; but it appeared that there were very few people in the audience today who were opposed to the use. In conclusion, he stated that residents of the facility often perform cleaning jobs for people in the neighborhood.

Commissioner Fleishhacker noted that the case report had stated that the present authorization is for occupancy of the building by 21 persons. It seemed to him that occupancy of the subject building by 21 persons would be somewhat excessive; and he wondered how many people are housed in the building at the present time. Mr. Bumbry stated that the facility is licensed for 21 people because it meets the floor space per person requirement for that number of individuals; however, the facility is occupied by only 15 persons at the present time. In response to further questions raised by Commissioner Fleishhacker, Mr. Bumbry stated that the recreational facilities available for residents of the building include a large backyard, pool tables, and a TV room.

Commissioner Fleishhacker asked Mr. Bumbry if he would object to a reduction in the number of occupants authorized if the Conditional Use authorization were to be renewed by the Commission. He also inquired about the number of bedrooms in the house. Mr. Bumbry described the layout of the house, indicating that bedrooms on the first, second and third floors are occupied by residents and that the fourth floor of the building is occupied by him and his mother.

Commissioner Porter asked about the age range of occupants of the building. Mr. Bumbry replied that the facility is licensed to care for people ranging in the age from 18 years to 65 years; however, most of the present occupants of the building, with the exception of three elderly individuals, range in age from 29 years to 35 years.

Commissioner Porter then asked Mr. Bumbry if he felt that anything could be done to ameliorate the problems which had been mentioned by Mr. Cole. Mr. Bumbry replied that he had sent a letter to residents of the neighborhood, including Mr. Cole's school, asking them to let him know if any problems arose; but he had never received any response from the school. From what he had observed of the school, it appeared to be a school for wayward children.

Commissioner Rueda asked if the staff of the Department of City Planning had received any complaints about the facility during the year. Mr. Steele replied in the negative.

Commissioner Finn inquired about the total number of sleeping rooms in the building. Mr. Bumbry replied that there are 11 sleeping rooms in the building.

Mrs. Sack, 2914 Sacramento Street, stated that she continued to have the same complaint as she had had one year ago. One of the occupants of the facility is an old alcoholic who tends to walk from one end of the block to the other end of the block with a bottle in a brown bag; and, since she has young children, she was concerned about the presence of such individuals in the neighborhood.

Mr. Cole stated that his school does not enroll delinquents or trouble makers; and he offered his apologies for any remarks that they may have made to residents of the subject facility.

President Newman advised residents of the neighborhood who were present in the audience to call the operator of the subject facility if any problems should arise; and, if such problems should continue, the conditional use authorization could be revoked by the Commission.

John Rolph stated that he works with an agency which has a program designed to provide services to people who live in residential care facilities. He indicated that occupants of the subject facility are carefully screened; and he hoped that the conditional use authorization for the subject facility would be extended by the Commission.

Dr. Stahl, Medical Director of the Westside Active Care Program, stated that residential care facilities make it possible to bring psychiatric patients back into the life of the city; and he regarded the subject facility to be one of the best of its kind in San Francisco. He, also, hoped that the authorization would be extended by the Commission.

President Newman asked Dr. Stahl if he felt that the subject facility could accommodate 21 occupants. Dr. Stahl replied that no bedroom in the subject facility is occupied by more than two people. In the State hospitals, however, as many as 21 people may share a single room.

Commissioner Rueda stated that it seemed to him that the subject facility would be overcrowded with 21 occupants; and he felt that the State licensing agency should limit the number of occupants allowed in the building.

Brenda Johnson remarked that she had worked in the subject facility for one semester while she was attending college; and she felt that such facilities provide an extremely important service for the community.

Mr. Steele stated that it was the recommendation of the Director of Planning that the subject application be renewed and that the authorization for the facility be extended without a specific time limit. He then distributed a draft resolution which had been prepared for the Commission and which contained seven conditions; and, after explaining that the conditions were essentially the same as those which had previously been established by the Commission, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Iola B. Schuler, the applicant, replied in the affirmative.

Commissioner Mellon stated that he recognized how important residential care facilities are for San Francisco and how difficult they are to find for people who need them. Furthermore, the facility presently under consideration seemed to be extremely well operated. Under the circumstances, he moved that the draft resolution be adopted. The motion was seconded by Commissioner Rueda. When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7332 and to approve the application subject to the conditions which had been recommended by the staff.

CU75.25 - 361 OAK STREET, SOUTH LINE, 137.5 FEET EAST OF LAGUNA STREET.
REQUEST FOR AUTHORIZATION FOR PROFESSIONAL OFFICES;
IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 44 feet of frontage on Oak Street and Lily Alley and a depth of 120 feet for an area of 5,280 square feet. The property is located in an R-4 zoning district and an 80-B Height and Bulk District. The property is occupied by a vacant single-family dwelling which was recently renovated; and the applicant proposed to use the building as professional offices without significant additional alterations to the building. The building would contain approximately 2,500 square feet of occupied floor area. A solidly fenced seven car parking lot is available to the rear of the building with access to Lily Alley; however, these spaces in the parking lot do not meet Planning Code standards with respect to size and maneuvering area. If the property were developed under R-4 density standards, a 26-unit apartment building could be constructed on the subject site.

Carol Rubenstein, representing the applicant, felt that approval of the conditional use application by the Commission would assure that the unique building on the subject site could be preserved for the neighborhood and for the city as a whole. She stated that the building was constructed in 1868 and is the oldest structure in the neighborhood. It is presently being reviewed by the Landmarks Preservation Advisory Board for possible designation as a Landmark. Prior to being acquired by the present owner, the building had been allowed to deteriorate for approximately 20 years. The new owner had completely renovated the building; however, when he had completed the renovation project, he had found that residential occupancy of the building could not be justified economically. The building has 14-foot ceilings and requires three furnaces for adequate heat. The furnaces are expensive to operate; and such heating costs could more realistically be assumed by an office than by a family. Furthermore, while the house has a total of 12 rooms, the only closet is located in a downstairs bathroom. Under the circumstances, she felt that the house is not adaptable for modern residential use; and the only economically feasible use of the building seemed to be for professional offices. The building is the only single-family dwelling in the subject block; and, while the owner of the building had considered dividing it into separate dwelling units, it was felt that such occupancy would have a more detrimental impact on the neighborhood than occupancy by professional offices. No noise would be generated by the proposed professional office use. Furthermore, parking should not be a problem since some employees could use the seven space parking lot to the rear of the building while other employees would continue to use public transit. He remarked that Oak Street is a major thoroughfare; and a freeway on-ramp is located across the street from the subject property. As a result, there is a considerable amount of automobile noise in the area. In conclusion, she stated that the subject building had been featured on a house tour arranged by the Victorian Alliance last week; and 68 visitors had signed a petition urging City agencies to cooperate in approving alternate uses for the building in order to assure its preservation.

President Newman took note of the fact that Ms. Rubenstein had several additional people present in the audience whom she wished to call on to testify in support of the subject application; but he indicated that the Commission wished to determine if there were any objections to the proposal.

Edward Blair, resident of an adjacent apartment building, described the subject neighborhood as an emerging neighborhood which is becoming a very viable place for people to live; and he indicated that a number of families live in the block. Residents of the area were joyous about the restoration work which had been done on the subject building even though the restoration work had greatly inconvenienced adjacent property owners and had caused damage to their gardens. He stated that parking has been incredibly difficult in the neighborhood; and he believed that the parking problem would be further aggravated if the subject building were occupied by professional offices rather than a single-family.

Commissioner Mellon stated that he is quite familiar with the subject neighborhood and indicated that he was impressed with the beautiful gardens in the area. However, he asked Mr. Blair if he felt that it was likely that a single-family could be found which would be large enough and wealthy enough to rent the subject house as a single-family dwelling. Mr. Blair replied that he was not in a position to offer specific alternate uses; however, he felt that it should be possible to find a viable use for the building other than converting it into a professional building. He stated that he opposed conversion for professional offices because such a use would bring more traffic and parking congestion to the area.

Commissioner Porter asked Mr. Blair if he would object if the subject building were subdivided into separate residential units as permitted by R-4 zoning. Mr. Blair replied that he could not answer that question without giving it some thought.

Madeline Goldberg, resident of an adjacent building, stated that the subject house had not been vacant for 20 years as suggested by Ms. Rubenstein. It had been occupied by a man named Charlie. She stated that she and her brother had restored three apartment buildings in the block, and units in those buildings are now occupied by families. Parking in the area is difficult enough at the present time; and, as a resident of the area, she was opposed to conversion of the subject single-family residence into professional offices.

President Newman remarked that the present zoning of the subject property would allow the existing building to be razed and replaced with an eight floor apartment building; and he asked Ms. Goldberg if she felt that that approach would be preferable to retaining the existing building and using it for professional offices. Ms. Goldberg replied that she felt that there is no chance that the owner of the building would demolish it after doing such a beautiful restoration job. In any event, she would be prepared to raise money to fight any proposal to demolish the building.

Mal Goldberg, owner of buildings at 367-71, 375-77, and 381-85 Oak Street, stated that he had purchased his first building approximately five and one-half years ago. At that time, the neighborhood was on a downgrade. However, as he had undertaken restoration of his buildings, other property owners in the area had done likewise; and the appearance of the neighborhood has been improved considerably. While he felt that the owner of the subject building had done a beautiful restoration job he believed that the work could have been undertaken less expensively; and he was of the opinion that the money which the owner of the building had spent should not be used as a reason for granting the conditional use authorization for professional offices in a residential district. He stated that he had discussed the application with several other property owners in the neighborhood. Some of them were not concerned about the application, others were opposed to it and two or three tended to favor it because they felt that approval of the application would make it easier for them to apply for conditional use authorizations in the future, thus increasing the value of their property. He felt that the building should continue to be used as a residence.

Commissioner Porter asked Mr. Goldberg if he had changed the facades of his buildings when he had remodeled them. Mr. Goldberg replied in the negative and indicated that two of the buildings were listed in "Here Today".

Commissioner Ritchie stated that the Commission had been concerned about the preservation of some of the city's larger Victorian buildings; and it appeared that the only alternatives for saving such buildings are to divide them into multiple dwelling units or to allow them to be devoted to a special use. As a case in point, he remarked that the Commission had authorized a group of attorneys to use a large Victorian house at Franklin and California Streets; and he remarked that that building has now been beautifully restored. If the special use had not been authorized, the likelihood was that the building would have been demolished. He asked Mr. Goldberg if he would not prefer that the subject building be used by professional people so that the owner would find it financially feasible to retain it instead of demolishing it for construction of a more economic building.

Mr. Goldberg replied that he questioned that the cost of restoration of the building was entirely necessary. In any case, before the requested conditional use authorization is granted, he felt that the building should actually be designated as a Landmark in order to clarify the owner's real intentions. He felt that the building should be preserved but that it should continue to be used as a residence, if possible. He stated that the building could have been restored for much less money than the owner spent; and he did not feel that the money which was spent should be of concern to the Commission. Furthermore, if the conditional use authorization were to be granted before the building is designated as a Landmark, he had some doubts that the landmark designation would ever occur.

Dave Schneider, a resident of Page Street, inquired about the nature of the professional offices which would occupy the building if the conditional use authorization were granted. Ivan Tomasi stated that his mechanical and electrical consulting engineering firm would occupy the building. The firm employs 15 people.

Mr. Schneider then asked if the granting of conditional use authorization such as the one presently under consideration generally tends to encourage other property owners in the immediate area to apply for similar permits. Mr. Steele replied that the staff of the Department of City Planning had not noticed any pattern being established by approval of such uses.

Mr. Goldberg stated that he had not previously been aware that the building would be occupied by 15 people; and it seemed to him that the number of people being contemplated was excessive. He felt that it must be possible to find a more suitable alternate use for the building.

Mr. Steele stated that the proposed professional offices would be compatible with the subject neighborhood because the use would be located in an existing renovated building which would retain its residential appearance.

Furthermore, the use would be operated in such a way that it would not cause undue noise, activity or traffic. The amount of activity which is normally generated by professional offices would be compatible with the subject densely developed residential area which is located on a major thoroughfare and across the street from a major on-ramp to an elevated freeway. He also felt that the proposed offices would be desirable for the neighborhood and for the city since such a use would encourage the retention and maintenance of an architecturally significant Victorian house. Under the circumstances, it was the recommendation of the Director of Planning that the application be approved subject to four specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. Mr. Steele then summarized the four conditions which were contained in the draft resolution.

President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Harold Elberg, the applicant, replied in the affirmative.

A member of the audience asked for a show of hands of individuals present in support of the subject application. Approximately 20 individuals responded. A request was then made for a show of hands of individuals present in support of the application who actually live in the subject neighborhood. One person responded.

Earl Moss, President of the Victorian Alliance, remarked that circumstances relating to the subject building are very similar to those which pertain to the building on the northwest corner of Franklin and California Streets insofar as use of the building for professional offices seemed to be the only way of preserving it.

It was then moved by Commissioner Ritchie and seconded by Commissioner Porter that the draft resolution be adopted.

Commissioner Rueda felt that another condition should be added to the draft resolution requiring the owner of the building to seek official designation of the building as a Landmark. The motion was seconded by Commissioner Mellon.

Harold K. Major, a member of the audience, stated that designation of the building as a Landmark is scheduled to be considered by the Landmarks Preservation Advisory Board on June 18.

Commissioner Ritchie stated that he was in favor of having the owner of the building pursue official designation of the building as a Landmark; however, he felt that the Commission would be placing the Landmarks Preservation Advisory Board in an awkward position if it were to adopt a resolution which would require the owner of the building to seek the designation.

Mr. Steele stated that the building is being considered by the Landmarks Preservation Advisory Board; and, if that Board should recommend that the building be designated as a Landmark, the matter would come back before the City Planning Commission for consideration. Under these circumstances, he did not feel that it would be appropriate to include the condition which had been proposed by Commissioner Rueda in the resolution.

Commissioner Mellon withdrew his second of Commissioner Rueda's motion.

Commissioner Fleishhacker suggested that an additional "whereas" clause could be added to the resolution recognizing that the owner of the building has applied to the Landmarks Preservation Advisory Board for designation of the building as a Landmark. Commissioner Rueda indicated that that alternative would be acceptable and withdrew his motion. Commissioners Ritchie and Porter indicated that the proposed amendment of the draft resolution would be acceptable to them, also.

Mr. Blair asked if the staff of the Department of City Planning would inspect the building after it has been converted to professional offices. Mr. Steele replied that the staff would respond to any complaints which might be received; and, if any serious problem should develop, the conditional use authorization could be revoked by the Commission.

When the question was called, the Commission voted unanimously to adopt the modified draft resolution as City Planning Commission Resolution No. 7333 and to approve the application subject to the conditions which had been recommended by the staff.

At this point of the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

CU75.26 - 24 and 26 RANDOLPH STREET, NORTH LINE, 75 FEET EAST OF
BRIGHT STREET.
REQUEST FOR AUTHORIZATION FOR A RESIDENTIAL CARE FACILITY
FOR 10 PERSONS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 25-foot frontage on Randolph Street and a depth of 100 feet for a total area of 2,500 square feet. The property is occupied by a building which contains two residential flats. The applicant proposed to convert the existing building to use as a residential care facility for 10 mentally handicapped persons. The conversion would require no significant exterior alterations to the building. The applicant presently operates a facility which houses four men at 849 Niagara Street and a facility which houses six women at 20 Edgar Place. If the subject application were to be approved, the residents of the other two buildings would be moved to the subject property and the other two buildings would be sold for family use.

Charles Turner, representing the applicant, advised the Commission that the applicant had operated residential care homes for nine years and had received no complaints during that time. It is more costly to operate two separate facilities than to operate a single facility; and, for that reason, the applicant wished to consolidate her operation into a single building. Based on the applicant's past performance, he felt that he could assure the Commission that the facility being proposed would not generate any problems.

Commissioner Porter stated that she intended no criticism of the applicant's operation. But she pointed out that the subject property is located across the street from another residential care facility; and she noted that it had been the policy of the Commission that no more than one residential care facility should be located in a single block.

Mr. Turner observed that the applicant would be lessening the impact of residential care facilities on residential neighborhoods by consolidating two existing facilities into a single building.

Barbara Hopkins, a community service worker, indicated that she supervises the applicant's work; and she indicated that she would be glad to answer any questions which might be raised by members of the Commission.

President Newman asked Ms. Hopkins if she had inspected the subject property and if she felt that it would be a good residential care facility. Ms. Hopkins replied in the affirmative, indicating that her agency had no problems with the proposed consolidation of the two facilities operated by the applicant.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele remarked that the Commission's locational guidelines for residential care facilities specify that no more than one such facility should be located on one street frontage, meaning both sides of a street between two cross streets; and he indicated that the proposed facility would conflict with that criterion since an authorized residential care facility for 24 persons is in operation directly across the street from the subject property. He noted that the concept of housing patients in residential care facilities is to place them in a normal family residential environment; and the concentration of patients within the immediate neighborhood which would be created by the proposed facility in combination with the existing facility across the street would be detrimental to the patients and to the neighborhood. Finally, he observed that the two existing residential care facilities which are operated by the applicant are located in neighborhoods which do not have a concentration of residential care facilities. For these reasons, it was the recommendation of the Director of Planning that the application be disapproved.

Mr. Turner stated that he failed to see how relocation of the 10 patients being cared for at the present time by the applicant could have any detrimental impact whatsoever.

Mrs. Edna Jones, a member of the Health Committee of OMI, stated that her committee had endorsed the applicant's proposal providing that the two houses where her patients are presently located are not reoccupied as residential care facilities. The applicant's objective in proposing the consolidation was to reduce the number of her employees and to provide better service by doing more work herself; and, as a result, her request seemed reasonable.

Commissioner Fleishhacker stated that the staff had recommended disapproval of the application not because it was opposed to the consolidation of two existing facilities into one building but because the location which had been chosen for the consolidation was inappropriate. If the subject application were approved, the result would be that 34 patients would be housed in a single block. He also observed that the two facilities which would be closed are not really located in the same neighborhood as the subject property.

Beatrice Walker, the applicant, stated that the subject property is already owned by her family; and she indicated that she would have difficulty raising money for a down payment if she had to purchase a building in a different area.

Commissioner Finn asked if the staff of the Department of City Planning has a map showing the location of residential care facilities in the subject neighborhood. Mr. Steele replied that such a map is being prepared.

Commissioner Ritchie remarked that it is difficult to find suitable buildings for residential care facilities; and, in view of the fact that the subject property is already owned by a member of the applicant's family, he felt that the Commission would be acting too harshly if it were to disapprove the application merely because a similar facility is located across the street. Furthermore, he did not believe that the relocation of 10 patients to the subject property would have a detrimental impact on the neighborhood.

Commissioner Porter stated that she was sympathetic with the patients and the people who care for them. But she noted that the patients do not spend all of their time indoors; and she felt that 34 patients in a single block would be excessive.

Commissioner Rueda observed that the locational guidelines for residential care facilities had been adopted by the Commission to assure that no neighborhoods would become impacted with such uses; and, if the Commission were to approve the subject application, it would establish a precedent which would be difficult to overcome in the future. Therefore, he moved that the application be disapproved. The motion was seconded by Commissioner Porter.

President Newman stated that it is the Commission's responsibility to protect residential neighborhoods even when no residents of a neighborhood are present to object to a proposed use; and, since he felt that approval of the proposed facility would have a detrimental impact on the subject neighborhood, he intended to vote for disapproval of the application.

Mr. Steele remarked that OMI, a recognized neighborhood organization, apparently was supportive of the subject application. However, no letter had yet been received by the staff of the Department of City Planning from that organization.

Commissioner Finn stated that he felt that the Commission should defer action on the application until it has received a communication from OMI. Furthermore, he indicated that he would find it difficult to vote on the subject application until such time as he has had an opportunity to review a map showing the location of other residential care facilities in the subject neighborhood. Therefore, he moved that the matter be taken under advisement for two weeks. The motion failed for want of a second.

When the question was called on the original motion, the Commission voted 4 - 2 to adopt Resolution No. 7334 and to disapprove the subject application. Commissioners Fleishhacker, Newman, Porter and Rueda voted "AYE"; Commissioners Finn and Ritchie voted "NO".

ZM75.6 - 2040 UNION STREET AND REAR PORTION OF LOT AT 3027 BUCHANAN STREET. R-3 TO A C-2 DISTRICT.

The Secretary stated that a letter had been received from Edgar A. Castellini, the applicant, which read as follows:

"The owner of the property involved in the rezoning application has unexpectedly made a change in his terms of sale, which makes it impossible for me to consider proceeding with the project.

"I am grateful for all that the Department of City Planning has done."

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the request for withdrawal of the application be approved.

After discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7335 be adopted and that the request for withdrawal of the subject application be approved.

ZM75.7 - STEINER STREET, EAST LINE, 112.5 FEET NORTH OF ELLIS STREET. R-3 TO A C-2 DISTRICT.

ZM75.8 - WEBSTER STREET, WEST LINE, 137.5 FEET NORTH OF O'FARRELL STREET. R-3 TO A C-2 DISTRICT.

ZM75.9 - 1601-15 LAGUNA STREET, NORTH WEST CORNER OF POST STREET.
R-4 TO A C-2 DISTRICT.

ZM75.10 - FRANKLIN STREET, EAST LINE, BETWEEN TURK AND ELM STREETS.
R-4 TO A C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that all four of the properties are located within the Western Addition Redevelopment Project Area A-2; and he indicated that the rezoning of the properties as requested by the Redevelopment Agency would be in conformance with the approved Redevelopment Plan for the Redevelopment Project Area. In accordance with the cooperation agreement between the City and the redevelopment agencies, approval of the reclassifications by the Commission is required. Therefore, in order for the Commission to comply with the law, it was the recommendation of the Director of Planning that all four applications be approved.

President Newman asked if any members of the audience wished to be heard on these matters.

Arnold Townsend, representing WAPAC, stated that his organization had no objection to the proposed reclassification; however, they did not wish their support of the reclassification to be interpreted as an endorsement of any specific plans for the Fillmore Center commercial development.

Arthur Evans, Executive Director of the San Francisco Redevelopment Agency, advised the Commission that projects involving the use of the subject properties should be proceeding in the near future; and, as a result, approval of the proposed reclassifications was being requested at the present time. The Redevelopment Agency intended to wait until the City-wide Residential Rezoning Study has been completed before requesting reclassification of additional properties in Western Addition Project Area A-2 in the hope that the recommendations forecoming from that study will resolve the remaining zoning problems.

Commissioner Ritchie stated that he had personal objections to plans which had been prepared for the proposed Fillmore Center and did not feel that such a large commercial center should have been designed for that location; and he asked how the proposed rezonings would relate to that project.

Mr. Evans replied that two of the properties presently under consideration would be part of the Fillmore Center project. He stated that the Fillmore Center has been designed as a neighborhood shopping center and not as a regional facility; however, he acknowledged that there had been controversies between the community and the developer of the proposed project.

Commissioner Ritchie then inquired about the size of the proposed project. Mr. Evans replied that the project may occupy a six block area. He indicated that the developer will soon be in a position to proceed with development of two of those blocks with two story buildings containing

ground floor retail space and office space on the second floor as well as an adequate number of parking spaces. Completion of the remainder of the project will depend on economic circumstances.

Commissioner Ritchie then inquired about the size of the largest store to be constructed during the first phase of the development. Another representative of the Redevelopment Agency indicated that a total of 60,000 square feet of retail space would be made available during the first phase of the project.

Commissioner Ritchie asked if the Commission would have any further input into plans for the proposed Fillmore Center after acting on the applications for rezoning. Mr. Evans replied that the Commission would probably have no further involvement in plans for that project.

Commissioner Ritchie stated that he objected to the fact that a major commercial center is being proposed in the Western Addition and that the City Planning Commission had not been involved in planning of that development. Therefore, he intended to vote against the proposed reclassifications.

Commissioner Porter observed that the Commission had been advised that it has a legal obligation to approve the proposed reclassifications.

Commissioner Fleishhacker, noting that only two of the subject properties were related to the proposed Fillmore Center, suggested that Commissioner Ritchie might wish to vote in favor of the other two proposed reclassifications.

Commissioner Ritchie stated that his objection was based on a matter of principle; and, as a result, he intended to vote "no" on all of the applications.

No one else was present in the audience to be heard on this matter.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried 5 - 1 that Resolution No. 7336 be adopted and that application ZM75.7 be approved. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "AYE"; Commissioner Ritchie voted "NO".

It was then moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried 5 - 1 that Resolution No. 7337 be adopted and that application ZM75.8 be approved. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "AYE"; Commissioner Ritchie voted "NO".

It was then moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried 5 - 1 that Resolution No. 7338 be adopted and that application ZM75.9 be approved. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "AYE"; Commissioner Ritchie voted "NO".

It was then moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried 5 - 1 that Resolution No. 7339 be adopted and that application ZM75.10 be approved. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "AYE"; Commissioner Ritchie voted "NO".

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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~~Minutes of the Regular Meeting held Thursday, June 12, 1975.~~

The City Planning Commission met pursuant to notice on Thursday, June 12, 1975, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); Peter Groat, Planner IV-Urban Systems Analyst; Douglas Holmen, Planner II; Paul Rosetter, Planner II; Gary Craft, Planner I; Debbie Kogan, City Planning Intern; Charna Staten, Parking Management Consultant; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner.

CURRENT MATTERS

Dean L. Macris, Director of Planning, informed the Commission that he had met with representatives of the Mission Merchants Association on the previous day to discuss problems and opportunities on Mission Street.

The Director remarked that he had previously announced that a public hearing would be held on the Mission Neighborhood Plan on June 26. However, because the Mission Merchants Association and other neighborhood groups had requested more time to study the plan, the hearing has been postponed until July 17.

The Director reported that he had received a letter from the Board of Supervisors requesting that a recommendation be made for further reducing the adopted budget for the Department of City Planning for 1975-76 by 5 per cent. However, since the Board had indicated that it does not wish to lay off personnel, and since other accounts of the Department from which funds could be taken amount to less than 5 per cent of the budget, it would not be possible to attain the Board's goal. In the meantime, the Mayor had vetoed 8 per cent of the permanent salaries approved by the Board with the apparent intent of accruing additional savings through the natural attrition of personnel and a freezing of vacant positions during the course of the fiscal year. Action has not yet been taken on the veto by the Board.

The Director announced that the Board of Supervisors, meeting on Monday, had voted to authorize the Mayor to submit an application for Federal funds which will provide money to the Department of City Planning to hire new personnel

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to undertake waterfront planning, as well as housing and library planning. However, in taking that action, the Board had also requested that the Port Commission act to endorse the type of planning program envisioned by the application. He stated that he had attended a meeting of the Port Commission on the previous day to discuss the proposed planning program; and, at the conclusion of the discussion, the Port Commission had adopted the following resolution:

"WHEREAS, the responsibility to plan and develop the San Francisco waterfront has for over 110 years been vested in the Port Commission, and

"WHEREAS, this Port Commission fully intends to continue that responsibility as defined in the Burton Act, the Transfer Agreement, the City Charter, and other laws -- local, State, and Federal, and

"WHEREAS, the Port is at this time concentrating the efforts of its small staff in the area of current and future maritime operation, planning, and development, and

"WHEREAS, the Port has only a small number of staff members to assign to a non-maritime planning activity, and

"WHEREAS, the adopted Northern Waterfront Plan is over 5 years old and the basic research that formed the foundation of that Plan is 7 years old, and

"WHEREAS, as a State agency the Port Commission had cooperated with the Planning Commission in that comprehensive study, and

"WHEREAS, after 2 years of study it appears that the City's Northern Waterfront Plan must be modified to meet the requirements of the BCDC Special Area Plan; or, after study, amendments to the Special Area Plan must be presented, and

"WHEREAS, the Planning Commission must undertake the necessary work to modify its Plan, and

"WHEREAS, the Port Commission will continue to cooperate with the Planning Commission in this effort.

"NOW, THEREFORE, BE IT RESOLVED that the Port Commission requests the Mayor and the Board of Supervisors to make every effort to assist the Port Commission and Planning Commission in their efforts to find funding to provide the manpower and consultant services necessary to adequately plan and develop the waterfront."

The Director noted that he had previously announced that he would present a status report on waterfront planning activities to the Commission on June 19. However, because other items may have to be considered that day, the status re-

port may be postponed. One of the items which may have to be considered on June 19 is a Master Plan referral on a revised proposal for the new Southeast Sewage Treatment Plan.

PRESENTATION OF 1974 HOUSING INVENTORY REPORT.

Pete Groat, Planner IV - Urban Systems Analyst, presented and summarized the report and responded to questions raised by members of the Commission. Copies of the report are available in the files in the Department of City Planning.

STATUS REPORT ON PARKING MANAGEMENT STUDY.

Charna Staten, under contract to the Department of City Planning as a consultant for preparation of a parking management plan for San Francisco, explained the type of data which is being collected and the process which will be followed in preparation of the plan. Although the Environmental Protection Agency has extended the deadline for completion of the plan to April 1, 1976, the Department of City Planning and the Department of Public Works are still aiming towards completion of San Francisco's plan in December, 1975. Following her report, she responded to questions raised by members of the Commission.

EE74.72 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT FOR 83 UNIT RESIDENTIAL DEVELOPMENT ON PROPERTY BOUNDED GENERALLY BY LAWTON STREET, LOMITA AVENUE, NORIEGA STREET, FIFTEENTH & FOURTEENTH AVENUES AND MORAGA STREET.

Paul Rosetter, Planner II, summarized the revised draft Environmental Impact Report which had been prepared for the proposed development.

The Commission then received comments on the report from members of the audience including Tim Eichenberg, representing the Sunset Parkside Education and Action Committee; Mrs. Gladys Elkus, 849 Noriega Street; George J. Morris, 705 Noriega Street; Morris Brill, 819 Noriega Street; Leon Salanave, 2047 - 17th Avenue; Alice Kay, 809 Noriega Street; Margaret Shamlan, 1815 - 15th Avenue; Mrs. Hagedorn, 1800 - 17th Avenue; Steven Halpern, 1744 - 14th Avenue; Dr. Stella Tennenbaum, 1843 - 14th Avenue; Rolland Loudon, 829 Noriega Street; C.E. Olson, 910 Lawton Street; Diana Schindler, 142 Lomita Avenue; Mrs. Levin, 930 Noriega Street; and Marsha Lindeen, a member of the Sunset Parkside Education and Action Committee.

Noting that no one else was present in the audience to be heard on this matter, President Newman announced that the public hearing on the draft Environmental Impact Report was closed. It was then moved by Commissioner Porter, seconded by Commissioner Miller, and carried unanimously that this matter be taken under advisement until the meeting of July 3, 1975, at which time the Commission will consider certification of the final report.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

ZM75.12 - GOLDEN GATE HEIGHTS AREA BOUNDED GENERALLY BY LAWTON STREET, LOMITA AVENUE, NORIEGA STREET, FUNSTON AVENUE AND ALOHA AVENUE. R-1 TO AN R-1-D DISTRICT.

President Newman stated that the staff of the Department of City Planning had issued a negative declaration for the proposed rezoning on June 6, 1975. However, the ten day appeal period for the negative declaration will not expire until June 16, 1975; and, consequently, no action could be taken by the Commission on the proposed rezoning during the present meeting.

Robert Passmore, Planner V (Zoning), referred to land use and zoning maps to describe the subject property which has an area of approximately 14 acres and consists of approximately 150 lots either existing or proposed in a new subdivision. Most of the property is vacant. The reclassification from R-1 to R-1-D had been initiated by the Board of Supervisors. Approval of the reclassification would establish a 4,000 square foot minimum lot area for new subdivisions in the area whereas the minimum lot size in an R-1 District is 2,640 square feet. Furthermore, side yards ranging from 3 to 5 feet are required in R-1-D Districts whereas the R-1 District has no side yard requirements. Finally, the reclassification to R-1-D would reduce the permitted lot coverage on the subject properties from 60 per cent to 55 per cent. Mr. Passmore remarked that many of the older homes in the subject neighborhood, have side yards and tend to reflect the character of an R-1-D District. Newer homes in the area tend to be somewhat larger and higher than the older dwellings and do not have side yards. In considering the proposed reclassification, the Commission must consider whether the reclassification is warranted by public necessity, convenience and general welfare. The general effect of reclassification of the properties to R-1-D was summarized on page 55 of the draft Environmental Impact Report which had been prepared for the Golden Gate Heights residential development. The reclassification would not affect properties which have already been developed to R-1 density standards, it would not affect any properties for which building permit applications have already been filed, nor would it affect the lot area of any properties which have already been subdivided. The southernmost block of property presently under consideration has already been subdivided; however, since a request had been filed for modification of that subdivision, the property might be affected by the proposed reclassification. The northernmost block of property under consideration had not yet been subdivided; and, as a result, the number of lots permitted in that block would be reduced by the proposed reclassification.

Commissioner Porter asked if she were correct in understanding that Grandview Park, located in the center of the area under consideration, would retain its public use zoning classification even if the subject application were to be approved. Mr. Passmore replied in the affirmative.

President Newman remarked that many of the letters which had been received by the Commission on this matter had urged that the properties under consideration be acquired for permanent open space with money from the new open space acquisition fund which was established by the passage of Proposition J. Dean L. Macris, Director of Planning, stated that the staff of the Department of City Planning and the Recreation and Park Department are working with the Citizens Advisory Committee which was appointed by the Board of Supervisors to prepare a proposal for the first phase of the acquisition program. While the Master Plan does call for acquisition of a limited amount of property for expansion of Grandview Park, most of the money in the open space acquisition fund is to be used for high-need areas as identified by the Master Plan, including the Mission District, South of Market, Chinatown, the Western Addition, and the Bayview area. Under the circumstances, he felt that it was highly unlikely that additional money could be made available for further acquisition of properties in the subject neighborhood.

Commissioner Porter remarked that some residents of the neighborhood were anxious to preserve the neighborhood character which was created by homes which were constructed in the 1950's. However, living styles have changed during the interim; and, while the typical home built 20 years ago contained 2 bedrooms and 1 bathroom, people buying new homes today wish to have 3 bedrooms and 2 bathrooms. Under the circumstances, it would be difficult to retain the original character of the neighborhood even if the zoning were to be changed.

When members of the audience expressed confusion about the relationship between the rezoning application and the environmental review process, Mr. Passmore stated that the draft Environmental Impact Report for the Golden Gate Heights residential development which had just been considered by the Commission had no direct relationship to the proposed rezoning. The proposed rezoning was subject to a separate environmental evaluation; and, as a result of that evaluation, the staff had issued a negative declaration on June 6, 1975, finding that the rezoning could not have a significant effect on the environment and determining that no Environmental Impact Report would be required. That negative declaration will be subject to appeal until June 16; and, during the appeal period, anyone who feels that the rezoning might have an adverse effect on the environment could request that an Environmental Impact Report be prepared for the rezoning. No action could be taken on the proposed rezoning by the Commission until the appeal period has elapsed; and, as a result, the staff of the Department of City Planning would recommend that the matter be taken under advisement until the meeting of July 3, 1975, at the conclusion of the present hearing.

President Newman, noting that a number of residents of the subject neighborhood had taken the position that the subject property should be preserved as permanent open space, asked if he were correct in his understanding that the Commission could not legally rezone the properties for public use. Mr. Passmore replied in the affirmative, indicating that the possibility of rezoning the

property for public use had been raised by the Board of Supervisors; and, at that time, the staff of the Department of City Planning had reported that the properties could not legally be reclassified for public use since they are not in public ownership.

Elizabeth O'Shaughnessy stated that her family had owned parcels of property included in the subject application for more than 70 years; and she indicated that she would be opposed to having her property rezoned to R-1-D or for public use since either alternative would lower the value of the property.

George H. Cabaniss, attorney for Miss O'Shaughnessy and her sister, stated that the property which they own has not yet been subdivided; and, as a result, the proposed reclassification would reduce the potential number of lots which could be realized from the property from 8 or 9, to 5 or 6. Furthermore, development of the subject properties with detached dwellings would not be compatible with the predominant row-house character of the neighborhood.

Mike McCormick, a realtor and a builder, stated that he had sold some of the subject properties to their present owners; and he indicated that he had also been involved in developments in the area. He remarked that people in general tend to be in an "anti-everything" mood at the present time; and people from the subject neighborhood seemed to be trying to protect what they have at the expense of other property owners who have not yet developed their lots. So much property in San Francisco has already been "down-zoned" that apartment house construction has been greatly reduced; and, given the need for single family housing in the city, he had never anticipated that objections would be raised to the construction of single-family housing. Given the energy crisis, people had found that it is less expensive to live in the city; and, as a result, the demand for housing in San Francisco is much greater than the city's supply. He stated that he had built 49 houses in the subject neighborhood; and he still has a waiting list of people who would like to live in the area. He also remarked that housing styles change with changing times; and the demand at the present time is for 3- or 4-bedroom homes with family rooms. He stated that he was not in favor of the proposed reclassification from R-1 to R-1-D because developers need as many lots as they can get in order to meet the demand for new housing. In addition, the type of development permitted under R-1-D zoning would require greater excavation than R-1 development; and R-1-D homes tend to be noisier than row-houses because of the narrow side yards. He stated that he had received no complaints about noise from residents of the houses which he had constructed in the area. While he recognized that there is a traffic problem in the neighborhood because of the narrowness of the streets which were constructed in the late 1920's, he indicated that the developer who proposed to construct 83 residential units on a portion of the subject property had promised to improve the street right-of-way. While he acknowledged that emergency vehicles may have difficulty obtaining access to some of the existing houses in the neighborhood, he indicated that emergency vehicles would have fairly direct access to the subject properties from 15th Avenue; and, as a result, he did not feel that the development which was being proposed would involve a safety hazard.

President Newman stated that the Commission had received a letter from Dianne Feinstein, President of the Board of Supervisors, indicating her support of the proposed zoning change from R-1 to R-1-D.

Tim Eichenberg, representing the Sunset Parkside Education and Action Committee (SPEAK), stated that his organization supported the request for rezoning of the subject properties from R-1 to R-1-D. While they were not anxious to have the properties developed, they felt that any new development which might take place should conform with the pattern of development already existing in the neighborhood.

President Newman stated that he was concerned about the issue of safety; and he wondered what assurance could be given that the housing units contemplated under the 83 unit development proposal would be properly constructed and that damage would not occur to adjacent properties during the construction process. Selina Bendix, Environmental Review Officer, replied that the seismic safety element of the Master Plan requires that specific soil tests be made and that special foundations be provided for buildings constructed on sites subject to a possible seismic hazard; and, in that sense, the new housing would be safer than older residential buildings in the subject neighborhood. Nevertheless, no engineer could guarantee that the buildings would not suffer some damage if an earthquake were to occur. With regard to the issue of possible damage to adjoining properties during the construction process, she remarked that the adjoining property owners would have legal recourse for any damage which might occur.

Jo Crosby, seismic engineer for the developer of the proposed 83 unit project, agreed with Dr. Bendix that no engineer could guarantee that any building would be perfectly safe in the event of an earthquake. Furthermore, while engineers may make lots of recommendations on paper, what really makes the difference is how a building is built. In any event, seismic safety standards have improved significantly; and he assured the Commission that the foundations in the new house being proposed would be far superior to the foundations in houses in the area which were constructed 20 or 30 years ago.

Gerald C. Burke, owner of a portion of the subject property, indicated that his property could be subdivided into 3 lots at the present time. However, if the zoning of the property were changed to R-1-D, the property could be subdivided into only 2 lots. If that were to happen, he doubted that he would ever be able to reclaim his investment in the property.

Morgan Howell, architect for the developer of the proposed 83 unit project, also spoke in opposition to the proposal to reclassify the subject properties to R-1-D. He stated that the average size of the lots in the proposed subdivision would be 3,500 square feet; and the proposed buildings would have front setbacks and balconies. Furthermore, open spaces would be left between groups of buildings in the project which would be more significant than the narrow slits which exist between detached houses in R-1-D Districts. Also,

when all four exterior walls of dwelling units are exposed, as in the case of R-1-D construction, fuel consumption is increased. He felt that the proposed development would be compatible with the existing character of the neighborhood; and he believed that the structures would be safe and that no slippage would occur. Therefore, he urged that the R-1 zoning be retained and that the developer be allowed to proceed with his project.

Commissioner Ritchie remarked that his impression of the neighborhood is one of light colored houses; yet, a rendering which had been prepared of buildings in the proposed project indicated that they would have dark natural wood facades which would make them appear gloomy on overcast days. He asked why such dark colors had been selected.

Mr. Howell replied that redwood siding and some stucco would be used in the facades of the buildings. However, he did not feel that the buildings would be as dark as indicated in the rendering.

Alice Kay, 809 Noriega Street, stated that she supported the proposal to reclassify the properties to R-1-D because she felt that the 83 unit project which had been proposed would not be compatible with the neighborhood and that the project should be redesigned.

Barbara Nathan, 1926 - 16th Avenue, asked if reclassification of the properties to R-1-D would reduce the number of dwelling units which could be constructed in the proposed project. Mr. Passmore replied in the affirmative, indicating that the developer had estimated that R-1-D zoning would result in a reduction of approximately 15 dwelling units in the total project.

Ms. Nathan then remarked that Commissioner Ritchie had previously expressed the opinion that any modification of the street pattern would necessitate approval of the proposed subdivision map by a State agency. The Director stated that he was not aware that any action by a State agency would be required for the subdivision map.

George Dobel, 1812 - 15th Avenue, remarked that the draft Environmental Impact Report which had been prepared for the Golden Gate Heights residential development indicated that exposed areas of surface soil absorb 100 per cent of all rainfall which falls on it; and, since R-1-D zoning would provide for larger lots and less lot coverage, the proposed reclassification would also lessen the proposed developments impact on San Francisco's waste water problem.

Rolland Loudon, 329 Noriega Street, stated that he was in favor of the proposed rezoning. While a real estate man who had spoken earlier in the meeting had expressed a belief that residents of the subject neighborhood want to protect what they have and keep other people out of the area, he felt that real estate agents want to keep what they have and to get an awful lot more, also.

The first part of the report deals with the general situation of the country. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's development.

The second part of the report deals with the economic situation of the country. It is a very interesting and informative study of the country's economic development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's economic development.

The third part of the report deals with the social situation of the country. It is a very interesting and informative study of the country's social development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's social development.

The fourth part of the report deals with the political situation of the country. It is a very interesting and informative study of the country's political development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's political development.

The fifth part of the report deals with the cultural situation of the country. It is a very interesting and informative study of the country's cultural development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's cultural development.

The sixth part of the report deals with the foreign relations of the country. It is a very interesting and informative study of the country's foreign relations. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's foreign relations.

The seventh part of the report deals with the future of the country. It is a very interesting and informative study of the country's future. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's future.

The eighth part of the report deals with the conclusion of the study. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's development.

Commissioner Porter, noting that Mr. Loudon had stated during the course of the public hearing on the Environmental Impact Report that he wished to have the subject properties remain undeveloped, asked if he had changed his mind. Mr. Loudon replied in the negative, indicating that while he would prefer to have the properties remain as open space, he felt that R-1-D development would be preferable to R-1 development if the properties were to be developed.

Mrs. Hana Scheiter, 1794 - 15th Avenue, remarked that Mr. McCormick had claimed that the demand for single family houses exceeds the city's supply; yet, she advised the Commission that one can drive or walk through the surrounding neighborhood at anytime and see many single family residences for sale.

At the conclusion of the hearing, the Director recommended that the matter be taken under advisement until the meeting of July 3, 1975.

It was then moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that the matter be taken under advisement until the Commission's regular meeting on July 3, 1975.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

The first part of the document is a letter from the President of the United States to the Congress. It is dated January 1, 1861, and is addressed to the Senate and House of Representatives. The letter is signed by James Buchanan, President of the United States.

The second part of the document is a letter from the Secretary of the United States to the Congress. It is dated January 1, 1861, and is addressed to the Senate and House of Representatives. The letter is signed by William B. Ewing, Secretary of the United States.

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, June 19, 1975.

The City Planning Commission met pursuant to notice on Thursday, June 19, 1975, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon and his alternate Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; Edward I. Murphy, Assistant Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; William Duchek, City Planning Coordinator; Charles Gill, City Planning Coordinator; Marie Zeller, Planner III Administrative; Ralph Gigliello, Planner II; Jeremy Kotas, Planner II; Paul Rosetter, Planner II; Mark Winogrand, Planner II; Christopher Page, Architectural Design Draftsman; Floyd Engle, Assistant Architectural Design Draftsman; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; George Snyder represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Dean L. Macris, Director of Planning, noted that he had planned to present a status report on planning activities in the Northern Waterfront during the current meeting; however, he proposed to postpone the report until the Commission's next meeting on June 26. At the request of the President of the Port Commission, a similar report will be made to that Commission on July 9.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director advised the Commission that city agencies have been discussing the possibility of acquiring a site known as the "Alvord Property" as an alternate site for construction of the new Southeast Sewage Treatment Plant; but no decision has been made as

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yet. He indicated that the Regional Water Quality Control Board has not yet granted the City a requested extension of thirty days beyond June 23 for Board of Supervisors' approval of land acquisition for a dry weather secondary treatment plant; however, a public hearing on that request will be held by the Regional Board on July 31.

The Director reported that the Finance Committee of the Board of Supervisors had tabled the proposed \$20,000,000 bond issue for new police facilities because it felt that the bond issue was too large and that the timing of the proposal was not desirable. A modified proposal will probably be placed on the ballot in June, 1976.

At this point in the proceedings, Commissioners Finn and Mellon arrived in the meeting room and assumed their seats at the Commission table.

The Director advised the Commission that the Board of Supervisors, meeting on Monday, had passed an ordinance which will make it unlawful for landlords to discriminate against households with one or more minor children. Only two exceptions are provided for in the ordinance. The first exception is that occupancy cannot be required to exceed the floor size standard of the Housing Code; and the second exception is that buildings with a rental policy requiring all tenants to be 62 years of age are excluded. A violator of the ordinance will be guilty of an "infraction"; and the fine prescribed will be not less than \$250 nor more than \$500. The sole enforcement mechanism will be through complaints filed with the District Attorney. The ordinance will, by its terms, expire in three years; and an annual evaluation will be made of the operation of the ordinance. During consideration of the matter by the Board, mention had been made possible request to the Department of City Planning for assistance in evaluating the operation of the ordinance.

The Director reported that the Board of Permit Appeals, meeting on Monday, had overruled a determination of the Zoning Administrator, stating that he should consider variance applications for removal of the November, 1975, termination date for certain freeway billboards in spite of the fact that the Zoning Administrator had previously been advised by the City Attorney that he does not have the authority to consider the variances. When the Board has issued its findings on this matter, the staff will again confer with the City Attorney regarding the matter.

The Director advised the Commission that he would be absent from a portion of today's meeting so that he could attend the first of two public hearings being held by the Mayor on Community Development and housing needs.

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President Newman distributed copies of a letter which he had received from N. Arden Danekas, President of the Planning Association for the Richmond, requesting that an item be added to the Commission's agendas under which citizens could address the Commission on any topic of their choice. After discussion, the Commission decided that it would prefer that anyone wishing to address the Commission on a particular topic write a letter to the President of the Commission requesting that the specific matter be calendared for consideration.

The Director advised the Commission that the staff wished to present a status report on the new Pets Unlimited facility at 2343 Fillmore Street after other items on the Commission's agenda had been covered.

STATUS REPORT ON PARAPET RETENTION PROGRAM.

William Duchek, City Planning Coordinator, stated that the Department of Public Works intends to begin enforcement of the City's parapet ordinance next month, requiring property owners to reinforce or remove ornamental features so that their buildings will be structurally sound. Because of the cost involved in reinforcement and restoration, many property owners would probably be inclined to remove ornamental features which might be unsafe; and, as a result, the appearance of the city could be drastically altered. As of the first part of April, the staff of the Department of City Planning had been augmented by four architects who had been hired with Federal funds through the efforts of the Northern California Chapter of the American Institute of Architects and the Foundation for San Francisco's Architectural Heritage. Those architects had been divided into two teams to work on projects which should be helpful in mitigating the visual impact of the enforcement program. One of the teams is conducting a survey to locate and document buildings which have ornamentation which would be desirable to preserve; and the second team is investigating techniques which might be used to restore or replace ornamentation as economically as possible. In conducting the enforcement program, the inspectors from the Department of Public Works will be primarily concerned with the issue of safety; but representatives of the Department of City Planning will be working with building owners, providing them with information and encouraging them to restore or replace ornamentation of visual significance. During the course of his presentation, Mr. Duchek called on Jeremy Kotas, Planner II, to show a series of photographic slides which depicted parapets, cornices, false fronts, and appendages which could be affected by the enforcement program.

Commissioner Porter asked if projecting signs would be affected by the enforcement program. Mr. Duchek replied in the affirmative.

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Commissioner Porter then observed that the appearance of Chinatown might be completely changed as a result of the enforcement program.

Commissioner Ritchie felt that the enforcement program would have a detrimental effect on the appearance of the City as a whole; and he felt that it would be tragic if the buildings which had been depicted in the slides show were to be stripped of their ornamentation. While it is generally expected that older brick buildings will collapse in the event of a major earthquake, he questioned whether cornices and parapets would fall off of buildings under such circumstances. He remarked that most modern buildings have a very bare appearance because they have no ornamentation; and if the ornamentation were to be stripped from the City's older buildings, San Francisco would take on the appearance of Fresno.

Commissioner Mellon stated that the parapet ordinance had been enacted in 1969; but funds had not been provided for enforcement of the ordinance until recently. Given the fact that the City is experiencing a budget crisis, he felt that the City might wish to reconsider its commitment to enforce the ordinance.

Commissioner Fleishhacker remarked that it is not good government practice to adopt ordinances and then to fail to enforce them; but he suggested that the Commission might wish to ask the Board of Supervisors to reconsider the parapet ordinance itself.

President Newman, noting that the Department of City Planning had hired a seismic consultant to aid in preparation of the Seismic Safety Element of the Comprehensive Plan, asked if that consultant had made any recommendations concerning removal of parapets and other ornamental features from buildings in San Francisco. Mr. Duchek replied in the negative, indicating that the subject had probably been omitted since the parapet ordinance had already been enacted at that time. He stated that there is no question that parapets and other ornamental features of older buildings do pose significant hazards; and he did not feel that the staff of the Department of City Planning would take the position that the parapet ordinance should be repealed. However, the staff does have a concern for the visual appearance of the City.

Commissioner Rueda observed that the hazard from ornamental features such as parapets and cornices will depend on the magnitude of any future earthquakes which San Francisco might experience; and, in any case, falling ornamental features would not be the only hazard to be faced in the event of a major earthquake.

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Dean L. Macris, Director of Planning, recommended that no action be taken by the Commission on the matter until the enforcement program is underway and additional information is available.

Commissioner Ritchie stated that he continued to feel that the enforcement program would be a total waste of time and that it would have a very detrimental effect on the physical appearance of the City. He stated that buildings which have been constructed since the fire and earthquake of 1906 have been extremely well built; and, while the ornamental features of older buildings may pose a hazard in the event of a major earthquake, life in a large city involves numerous hazards. Since he expected that the inspectors from the Department of Public Works would be concerned only with safety and not with the appearance of buildings, he hoped that the staff of the Department of City Planning would continue working on its program to encourage property owners to preserve existing ornamentation wherever possible. However, since property owners in San Francisco are also being faced with the State Fire Marshall's order to rehabilitate all buildings in excess of six stories, he expected that they would be loathe to spend additional money for preservation of ornamental features.

Commissioner Rueda stated that he would prefer to die in a beautiful city rather than to live in an ugly one.

DISCUSSION OF COMMERCE AND INDUSTRY BACKGROUND PAPER ON INDUSTRIAL TREND.

President Newman, noting that the Commission meeting was running behind schedule, indicated that this discussion would be deferred until the Commission's meeting on June 26, 1975. At 3:10 p.m. he announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and reconvened at 3:20 p.m. for hearing of the remainder of the agenda.

EE75.136 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING FOR THE CONSTRUCTION OF A 2-STORY CLASSROOM BUILDING ON WHITTIER STREET, 115 FEET SOUTH OF MISSION STREET.

Paul Rosetter, Planner II, explained the reasons for the staff's decision to issue a negative declaration for the proposed project.

Subsequently, the Commission received and responded to comments from individuals present in the audience including Larry Moll, President of the Alice Chalmers Block Club; Mrs. Alice Schmidt 672 Brunswick Street; Leonardo Bacci, attorney for the owner of an adjacent parcel of property which contains an abandoned gasoline

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station; Mrs. Noonan, a resident of Cassandra Court; Vicki Moll, representing the staff of the Longfellow School; Lester H. MacLeod, principal of the San Francisco Christian School; Charles Helso, president of the Parent Teachers Association of the San Francisco Christian School; Charles Suttle, a supporter of the San Francisco Christian School; Lloyd Actkinson, Vice-President of the student body of the San Francisco Christian School; and Doris Sepulveda, Secretary of the student body of the San Francisco Christian School.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7340 be adopted with the following resolve: "Therefore be it resolved, that the City Planning Commission does hereby find that the proposed project could not have a significant effect on the environment, and does hereby affirm the negative declaration issued by the Department of City Planning."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NUMBER 445324 FOR CONSTRUCTION OF A 2-STORY CLASSROOM BUILDING ON WHITTIER STREET, 115 FEET SOUTH OF MISSION STREET.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), recommended that the Commission conduct a discretionary review of the subject building permit application; however, in order to give residents additional time to evaluate the plans and to prepare their presentation, he recommended that the discretionary review be deferred until August 7. Commissioner Porter suggested that the staff of the Department of City Planning should work with representatives of the San Francisco Christian School to see if the property at the corner of Morse and Whittier Streets, which is now occupied by a vacant service station, could be acquired for the proposed expansion project. Commissioner Ritchie agreed, indicating that he felt that expansion onto the corner lot would result in a much better project.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the discretionary review of Building Permit Application No. 445324 be scheduled for the Commission's meeting on August 7, 1975.

At 4:40 p.m. President Newman announced a five minute recess. The Commission reconvened at 4:45 p.m. and proceeded with hearing of the remainder of the agenda.

Commissioner Mellon absented himself from the meeting room for the remainder of the meeting and was replaced by his alternate, Thomas G. Miller.

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DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION
NUMBERS 444265 AND 444266 FOR THE CONSTRUCTION OF TWO
SINGLE-FAMILY DWELLINGS AT 55 AND 59 BELGRAVE AVENUE.

Ralph Gigliello, Planner II, referred to land use and zoning maps to describe the subject property which consists of two rectangular parcels each with 25 feet of frontage on Belgrave Avenue and a depth of 100 feet for a total area of 5,000 square feet. The properties are located in an R-1-D District. The applicant proposed to construct two single-family houses on the two parcels of property with off-street parking for a total of three automobiles. On May 2, 1975, the Department of City Planning issued a negative declaration for the project; but the negative declaration was appealed by Mr. Albert Meakin and other residents of the neighborhood. The City Planning Commission held a public hearing on the appeal on May 29, 1975; and, at the conclusion of the hearing, the Commission found that the project could not have a significant effect on the environment and affirmed the negative declaration. Mr. Meakin had also requested the Commission to conduct a discretionary review of the building permit applications for the project; and, in response to that request, the matter had been calendared for consideration during the present meeting. Mr. Gigliello stated that Belgrave Avenue is developed with single-family houses conforming to the applicable R-1-D zoning controls. Although there is no legislated setback for Belgrave Avenue, houses neighboring the subject site are setback; and both the setback areas and the side-yard areas are intensively landscaped. The proposed project would not have side-yards; and Mr. Meakin and other residents of the neighborhood felt that the project would not conform to the existing character of development on Belgrave Avenue.

David Hale, the applicant, stated that he had originally thought that the subject properties were a single lot but had later found that two lots are involved, each with a width of 25 feet. Further research had indicated that the entire block had originally been subdivided into lots with widths of 20 or 25 feet. He displayed a site plan and a rendering of the proposed project and pointed out that the lot coverage of the proposed buildings would be comparable to the lot coverage of existing single-family dwellings on the street. The project would provide a front setback which is greater than that provided by most of the other buildings on the block; and the houses would not touch the side property lines until a point approximately in the middle of the lots. The houses themselves would consist of two stories; and the off-street parking spaces would be provided in separate garage buildings in front of the houses.

Commissioner Porter observed that the houses which Mr. Hale proposed to construct would be built on lots with an area of only 2500 square feet and would have no side yards whereas the City Planning Code provides that houses to be constructed in an R-1-D district must have 4,000 square feet of lot area and that they must have side yards.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that the City Planning Code permits any lot of record to be developed. Under R-1-D standards, a 25-foot wide lot may be developed with no side yard, a lot with a width of 28 feet must provide one 3-foot side yard, and a yard with a width of 31 feet must provide two 3-foot side yards or one 6-foot side yard.

Commissioner Ritchie noted that there are two 25-foot wide unimproved lots adjacent to the subject properties; and, if all four of the lots were to be developed with buildings without side yards, such development would have a significant impact on the character of the block which is presently developed with structures which have side yards. Under the circumstances, he asked if the Commission would have the authority to require the applicant to provide side yards on his properties. Mr. Steele replied in the affirmative but indicated that the Commission's action would be subject to appeal to the Board of Permit Appeals.

Mr. Hale remarked that the adjacent lots which had been mentioned by Commissioner Ritchie are owned by an adjacent homeowner. After Commissioner Ritchie had pointed out that the lots could be sold individually for construction of two row houses, Mr. Hale remarked that the lots could also be sold as a single 50-foot wide lot; and, under such circumstances, there would still be space between the buildings which he proposed to construct and any building which might be constructed on the adjacent property. In any case, he indicated that almost 50 percent of the block is subdivided into 25-foot wide lots of record at the present time; and, as a result, other row houses could be constructed in the future.

Commissioner Ritchie asked the applicant if it would be possible for him to provide a three or five foot side yard on each of his lots. After Mr. Hale had replied that it would not be possible to construct a building with a width of less than 25 feet, Commissioner Ritchie remarked that some very handsome buildings with widths of less than 25 feet have been constructed in other parts of the city.

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Mr. Hale stated that he had designed the two proposed town houses so that they would have the appearance of a single building; and he indicated that the width of the two buildings would be comparable to the width of other structures on the street. Furthermore, other design criteria had been utilized which would assure that the two buildings would harmonize with other buildings in the area.

Homer W. Keaton, 89 Belgrave Avenue, remarked that he had prepared a brochure which had been distributed to each member of the Commission which outlined the history of the street and which expressed the objection of residents of the neighborhood to construction of the two buildings proposed by the applicant. The two buildings would look larger than existing single-family residences in the neighborhood and they would have no side yards. He advised the Commission that two legal lots of record in the subject block have a width of only 12½ feet; and, if the present applicant were permitted to developed his 25-foot wide lots with buildings with no side yards, the 12½ foot wide lots might be developed in a similar manner in the future. The subject neighborhood was subdivided in 1890; and the south side of Belgrave Avenue in the subject block was platted with 32 proper lots with widths of 25 feet. However, when the neighborhood was actually developed, side yards were provided and lots were merged. In recognition of the established pattern of development, the properties were zoned R-1-D in the early 1960's. The amenities of the neighborhood were obviously attractive to the applicant; and present residents of the street did not feel that he should be allowed to detract from those amenities by construction buildings which would be out of character with the established pattern of development along the street. In conclusion, he stated that residents of the neighborhood would bond together to make sure that lots on the street would be merged so that no 25-foot row house development could occur in the future if the two permit applications presently under consideration were denied.

Mrs. Leonora Bockman read and submitted the following letter which had been addressed to the Commission by Bernard M. Bour, president of the Twin Peaks Improvement Association:

"Our association wishes to express its vigorous opposition to proposed construction on Belgrave Avenue of two 25-foot attached row houses. Such construction would be most inappropriate and would constitute exploitation of conditions created by past and present residents. The environment of this open, well spaced and generously landscaped R-1-D area would be permanently degraded.

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"We hope your Commission will give its unanimous support to efforts to maintain the exceptional quality of this unique part of our city, and will reject this proposed construction."

Jack Lee stated that he is in the process of buying the two vacant lots adjacent to the applicant's properties from their present owner, Dr. Bockman. While he, also, could exploit the existence of the two lots and build two houses, he intended to preserve the existing character of the neighborhood by building only one house on his property. He stated that he had been impressed with the beauty of the neighborhood for many years; and he felt that property owners on Belgrave Avenue have a moral responsibility to preserve the beauty of their neighborhood.

Charles Richard, 125 Belgrave Avenue, advised the Commission that Margot Patterson Doss had written an article on Belgrave Avenue which had appeared in the Chronicle on February 17, 1974; and he read several quotes from the article. The article had been written because of the uniqueness of the street; and he felt that construction of the two row houses being proposed would destroy the special quality of the street. In his opinion, the applicant was planning to take advantage of the existing lot pattern in a manner which would be detrimental to the rest of the neighborhood; and, as a result, he urged that the subject permit applications be denied.

Mr. Hale stated that he did not realize that the adjacent lots were being sold. However, if Mr. Lee were constructing a single house on that property, open space would exist between that house and the house on his easterly lot; and, since there is already an open space between his westerly property line and the adjacent residential building, the house which he proposed to construct would appear to have side yards and would be compatible with existing development in the area.

Albert Meakin, 100 Belgrave Avenue, read the following comments:

"The developer apparently bases his idea of legality of 25-foot row houses on Section 133 of the Planning Code which states that a dwelling may be built without side yards on lots of record of less than 28 feet. In direct contradiction Section 102.9 states that: 'A one-family detached dwelling is a one-family dwelling having a side yard on each side thereof.' This is definite, flat statement with no mention of exceptions such as those of three other sections on the same page. Sec. 102.3 has 'but not including...', Sec. 102.6 has 'but not...', Sec. 102.10 'but not including...'

"Sec. 104 - CLASSES OF DISTRICTS

R-1-D One-Family Residential Districts (Detached Dwellings)

"The Summary with the Zoning Maps states that side yards of 3 to 5 feet are required in R-1-D districts.

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"Sec. 201.1 Principal Uses Permitted, R-1-D Districts.

(a) One-family detached dwelling.

(j) Any of the following transitional uses, if located as provided in Sec. 118, adjacent to or opposite a C or M district.

1. One-family dwelling, row-type, as regulated in R-1 districts.

"In other words, the construction of row-type houses in R-1-D districts is limited to those sites adjacent to or opposite C or M districts.

"There would appear to be no justification for construction of row houses within an R-1-D district such as Belgrave Avenue.

"The prime reason for the very existence of the complex and wordy Planning Code is concisely stated in Section 101. Purposes.

(b) 'To protect the character and stability of residential, commercial and industrial areas within the City, and to promote the orderly and beneficial development of such areas,...'

"Surely it is the intent of the Planning Code to protect such vulnerable areas as Belgrave Avenue from exploitation as represented by row houses.

Mr. Steele suggested that Mr. Lee should contact the staff of the Department of City Planning regarding specific side yard requirements for the property which he is purchasing. If a side yard were provided on his property adjacent to Mr. Hale's easterly property line, the buildings proposed to be constructed by Mr. Hale would, in fact, appear to have side yard. Furthermore, the two buildings have been designed so that their appearance would be that of a single structure; and a larger front setback would be provided than exists on other properties on the block. The plans, as submitted, conform with the requirements of the City Planning Code; and, therefore, it was the recommendation of the Director of Planning that the permit applications be approved subject to the two following conditions:

"1. Finished structures shall be faced in one uniform material and painted a uniform cream color so as to appear as one architectural mass.

"2. The proposed planter areas built into the front terraces, as well as the open lawn proposed for the northeast corner of the site, shall be landscaped with species approved by the Department of City Planning."

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President Newman asked if the conditions which had been recommended by the staff would be acceptable to the applicant. Mr. Hale replied in the affirmative.

Commissioner Ritchie asked for clarification of Mr. Steele's statement regarding side yard requirements for the property which Mr. Lee is acquiring. Mr. Steele replied that Mr. Lee should contact the staff regarding possible side yard problems.

Commissioner Ritchie observed that Mr. Lee might change his mind and decide to build two row houses on his property if the building permit applications presently under consideration were to be approved; and, as a result, a 100-foot frontage in the subject block would be developed with a solid wall of houses without side yards. In his opinion, such development would have an extremely detrimental effect on the character of the area. The applicant proposed to take maximum advantage of his lots by constructing two row houses without side yards; and, if those row houses were constructed, the R-1-D appearance of the neighborhood would be preserved only if neighboring property owners were willing to provide Mr. Hale's side yards for him.

Commissioner Porter stated that she intended to vote against the staff's recommendation because she felt that the few really good residential districts which are left in San Francisco should be preserved.

Commissioner Rueda asked what procedures would have to be followed in order to effect a consolidation of any 25-foot wide lots remaining in the subject block. Mr. Steele replied that the owners of the properties could write a letter to the Assessor requesting that their lots be merged.

Commissioner Ritchie suggested that the best course of action for the Commission to take might be to request the applicant to redesign his buildings so that a side yard with a width of from three to five feet would be provided on each of the lots.

Commissioner Fleishhacker stated he was unclear about the objections of other residents of the neighborhood; and he questioned whether the course of action proposed by Commissioner Ritchie would actually satisfy the concerns. It was his understanding that opposition to the applicant's proposal was based on the fact that he was proposing to construct two houses; and he wondered if construction of two houses would be acceptable to residents of the area if a side yard were to be provided for each of those houses.

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Mr. Keaton stated that he would probably be less opposed to construction of two houses on the subject properties if construction were being proposed by someone who had owned them for a long period of time. However, the applicant had purchased the properties only recently and was now proposing to take full advantage of the lot pattern. Even if side yards were to be provided on the lots, he would still be opposed to construction of row houses in an area which is characterized by separated single-family dwellings. He asked for a show of hands of any residents of the street who disagreed with his point of view and received no response.

Commissioner Ritchie asked Mr. Hale if he had been under the assumption that the two lots were in fact a single lot when he had purchased the property. Mr. Hale replied in the negative, indicating that while he had originally believed that the property was a single lot, he had learned that two lots in fact existed prior to the time that he had actually purchased the property.

Commissioner Ritchie then asked if the applicant would be prepared to build only one house on the property. Mr. Hale replied in the negative. He remarked that the property had been on the market for quite some time; and, if residents of the neighborhood had taken an interest in the matter, they could have learned that two lots were involved. He stated that he would have to pay taxes on both of the lots; and, as a result, he felt that he should be permitted to develop both of the lots.

President Newman asked if the applicant could legally sell one of his lots to another individual. After Mr. Steele had replied in the affirmative, President Newman observed that it would be very difficult to prevent the construction of single-family houses on each of the lots if the lots were under separate ownership.

After further discussion, it was moved by Commissioner Ritchie and seconded by Commissioner Porter that the applicant be requested to provide a side yard with a width of from three to five feet on each of the lots.

Mr. Hale stated that provision of side yards would narrow the proposed buildings to such an extent that they would not be buildable.

Commissioner Fleishhacker stated that he intended to vote against the motion. He remarked that provisions of side yard would not satisfy residents of the neighborhood who were opposed to having two houses constructed on the property; and he did not feel that the two buildings which had been proposed by the applicant would destroy the neighborhood.

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Commissioner Miller stated that he, also, intended to vote against the motion; however, he also disagreed with the recommendation which had been made by the staff of the Department of City Planning. He felt that the Commission should act in such a way as to preserve the character of the neighborhood; but he believed that the Commission would be in a much better legal position to act if other 25-foot wide lots in the block were merged beforehand.

Commissioner Finn stated that he intended to vote against the motion and to support the recommendation of the staff of the Department of City Planning. He felt that the applicant's legal right should be respected; and he did not feel that the Commission should establish requirements which would, in fact, deny the applicant the right to develop his properties. Nevertheless, he felt that other residents of the neighborhood would be well advised to merge their own lots so that they will no longer be in a position of having a right to sell a lot with a width of 12½ feet any time they choose.

When the question was called, Commissioners Porter, Ritchie, and Rueda voted "AYE"; and Commissioners Finn, Fleishhacker, Newman, and Miller voted "NO". The motion therefore failed by a vote of 3 - 4.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Ritchie and carried 4 - 3 that Resolution No. 7341 be adopted and that the subject building permit applications be denied because the buildings proposed would cover an excessive amount of lot area and would not be compatible with the character of existing development in the area. Commissioners Miller, Porter, Ritchie, and Rueda voted "AYE"; Commissioners Finn, Fleishhacker, and Newman voted "NO".

EE74.225 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY
THE DEPARTMENT OF CITY PLANNING FOR THE
CONSTRUCTION OF A 6-UNIT APARTMENT BUILDING
AT 2106 24TH STREET.

Paul Rosetter, Planner II, explained the staff's reasons for issuing a negative declaration for the proposed project.

The Commission then received and responded to comments from individuals present in the audience including Mark Saleberg, 2104 24th Street; Katharyn Mallam Edwards, 2104 24th Street; David Passmore, 2132 24th Street; and Christopher Saber, coordinator of the Potrero Hill Association of Neighbors.

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After discussion it was moved by Commissioner Rueda, seconded by Commissioner Finn, and carried 5 - 2 that Resolution No. 7342 be adopted finding that the proposed project could not have a significant effect on the environment and affirming the negative declaration which had been issued by the staff of the Department of City Planning. Commissioners Finn, Fleishhacker, Newman, Porter, and Rueda voted "AYE"; Commissioners Miller and Ritchie voted "NO".

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), advised the Commission that Kathryn Mallam Edwards had also requested that the Commission conduct a discretionary review of the building permit application for the proposed project; and he recommended that the discretionary review be held on August 7.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that a discretionary review of the building permit application for the proposed project be held during the Commission's regular meeting on August 7, 1975.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At 6:10 p.m. President Newman announced a 10 minute recess.

The Commission reconvened at 6:20 p.m. and proceeded with hearing of the remainder of the agenda.

CURRENT MATTERS CONTINUED.

Robert Passmore, Planner V (Zoning), reported to the Commission as follows:

"On April 24, 1975, the staff reported on the status of the conversion of 2343 Fillmore Street, southwest corner of Washington Street, to an animal hospital for Pets Unlimited. At that time, we expressed certain concerns over the adequacy of the sound installation that had been installed in the building pursuant to the second condition of the resolution adopted by the City Planning Commission in 1972 authorizing the use of the property by Pets Unlimited. The basic concern was that the staff felt that a test of the completed facility should be made by the Department of Public Health because that Department had competent personnel for such testing. Residents from the surrounding area also expressed concern over the converted building related to odor control as well as noise control. The Commission

unanimously voted to have the Zoning Administrator request the Department of Public Health to test the facility and to provide copies of that test to the neighborhood for comment before approving issuance of a permit of occupancy to Pets Unlimited. The Commission also asked that a copy of the minutes of the April 24 meeting be sent to each member of the Board of Directors of Pets Unlimited.

"On April 25, in response to the Commission's action, Pets Unlimited notified the Department that tests could be conducted so long as no change was requested in the design features and specifications that had been shown on the Building Permit Application approved last year by the City to allow the building conversion to proceed. Staff was reluctant to agree to those terms, and no further action occurred for some time. During this period various concerns and suggestions concerning odor and noise control were submitted orally and in writing by the consultants hired by the neighborhood and were reviewed by the Department of City Planning and the Department of Public Health. On June 4, in response to a request by Pets Unlimited to Deputy City Attorney Robert Kenealey, a meeting attended by Mr. Kenealey, a number of directors of Pets Unlimited and their attorney, Mr. Steele and myself was held. The result of the meeting was an agreement that the Department of Public Health would proceed with testing the facility; and, if the conditions of the Commission's resolution were found to be met, Mr. Kenealey advised that issuance of an occupancy permit should be approved.

"On June 5th, at the request of Pets Unlimited, the Department of Public Health conducted noise tests. The results of that tests were formally received by the Department of City Planning late last week, and a copy is in front of you. Essentially the test found that the converted building would comply with the standards of noise control included under Condition 2 of the Commission's resolution. Staff of this Department did not observe the test so questions regarding it should be to the representative of the Department of Public Health, Mr. Robert MacDonough who is here.

"On June 11, 1975, Mr. Arthur Andreas wrote our Department to note that he, and the neighborhood, believed the test was inappropriate and inadequate for basically three reasons: 1.) The neighborhood was not advised of the test, and thus was not able to observe

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the manner in which it was conducted. 2.) The test was done during the day, not at night when lower ambient sound levels occur; and 3.) no test was done along the west property line where a two-family dwelling abuts the rear of Pets Unlimited. The latter two points were ones that had also concerned staff; and in fact I had talked earlier to the owner of the adjacent dwelling about additional testing, if necessary.

"After receiving the Public Health report and Mr. Andreas' letter we reviewed the latter two points of Mr. Andreas' letter with the Health Department staff and now believe that the concerns expressed were adequately covered in the Department of Public Health's tests. We then notified Mr. Andreas that in our opinion the tests appeared to indicate compliance with the resolution and should result in issuance of the permit of occupancy. This same opinion was stated later in a letter to Mr. Andreas and several others in the neighborhood along with notice that staff would report on this matter to the Commission today. This letter was given to residents yesterday."

President Newman asked Mr. Passmore to review the specific motion which had been adopted by the Commission during its meeting on April 24. Mr Passmore replied that the Commission had directed the Zoning Administrator not to issue the certificate of occupancy for Pets Unlimited until satisfactory tests had been performed leading to a determination that the building has been remodeled in such a way as to meet the noise and odor emission standards which had previously been established by the Commission. The Commission had also specified that the results of the tests should be made available to residents of the neighborhood for review by their consultants before the Certificate of Occupancy is approved; and the Commission indicated that it would hold a public hearing on the matter if residents of the neighborhood were not satisfied by the results of the tests. The Commission had also requested that a letter explaining its action, as well as the minutes of the meeting, be sent to each of the members of the Board of Directors of Pets Unlimited.

President Newman then stated that the results of the tests had been made available to residents of the neighborhood; however, judging from comments made in letters which had been submitted by the Pacific Heights Neighborhood Council, the Pacific Heights Association, and several individuals, residents of the area were not satisfied by the tests and felt that additional tests would be in order. Pets Unlimited, on the other hand, was anxious to receive a Certificate of Occupancy as soon as possible. If the Certificate of Occupancy were issued, residents of the

neighborhood would still be protected by Condition No. 9 of Resolution No. 6868 which was adopted by the Commission on July 6, 1972, and which read as follows:

"9. Following the completion of the subject building alterations pursuant to the provisions of this resolution and continuously thereafter during the use of said building as a veterinary hospital, the building shall be so maintained and the business therein so operated that there will be no emission therefrom of any offensive odor or noise which will not conform to the limitations of Conditions 2 and 3 above. If the Planning Commission finds that there is reasonable ground for believing that this provision is not being complied with, it may require the owner of the subject premises to establish the fact of compliance at his own expense within 30 days after written notice to the owner or operator of said veterinary hospital; if such compliance cannot be shown to the satisfaction of the Commission, the Commission may terminate this conditional use authorization within 30 days and continued operation of a veterinary hospital after that date will be deemed a violation of the City Planning Code."

Commissioner Fleishhacker, noting that Condition No. 9 referred to two other conditions, requested that they be read, also. Those conditions read as follows:

"2. Said building shall be converted in such a manner that the average sound level within the building will not increase the average exterior background noise level at any given time at the property line. The plans and specifications for said building, especially with respect to soundproofing of any rooms where animals except those anesthetized would be held or treated, shall bear the certification of an acoustical engineer acceptable to the Department of City Planning that said plans and specifications, if diligently followed, will achieve the above required level of sound transmission loss.

"3. Plans and specifications for said building alterations shall comply with the requirements of the Department of Health of the City and County of San Francisco with reference to structures used for the operation of a veterinary hospital and all requirements of said department bearing upon the emission from the structure of any offensive odor. Such plans and

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specifications shall reflect in detail the means provided for controlling the emission of odor from such structure, and such means shall be adequate in all respects to prevent the emission of any offensive odor from such structure."

Commissioner Fleishhacker then asked if the plans and specifications for the building alterations had complied with the requirements of the Department of Public Health. Mr. Passmore replied in the affirmative.

Commissioner Porter asked why a representative of the staff of the Department of City Planning and a representative of the neighborhood were not present when sound tests were conducted by the Department of Public Health. Mr. Passmore replied that the representative of Pets Unlimited had made arrangements for the tests directly with the representative of the Department of Public Health; and the Department of City Planning was not notified in advance of the tests.

President Newman requested the representative of the Department of Public Health who was present in the audience to describe the test which had been made. Robert MacDonough, Inspector for the Bureau of Environmental Health Services in the Department of Public Health, stated that he had previously made a test of a similar situation at the SPCA kennels; and that test had indicated that the simulated sound tests which were conducted at the Pets Unlimited building had a comparable sound source. For the simulated sound source, he had used equipment obtained by Mr. Ford of Pets Unlimited; but tests outside of the building were conducted with equipment owned by the Department of Public Health. During the test, a representative of the Department of Public Health was inside the building at the simulated sound source to make sure that the volume was not reduced. The findings of the tests were that there was no audible or recordable sound emanating from within the structure.

Commissioner Porter, noting the tests had been made at 3 o'clock in the afternoon, asked if Mr. MacDonough felt that the results of the tests would have been the same if the tests had been conducted between the hours of mid-night and 5 o'clock a.m. Mr. MacDonough replied that the ambient sound level would probably have been somewhat lower during the early morning hours.

President Newman, noting that the Pets Unlimited building directly abuts a residential building on the west, asked Mr. MacDonough if he felt that that building would be as well protected from noise as the sidewalk area where the tests were actually made. Mr. MacDonough replied that he would have liked to measure

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the sound from the roof of and from light well windows in the adjacent building; but he had been unable to gain entry to the building. While he would have been happier with the results of the tests if he had been able to measure the sound from that building, he assumed that the sound would have been no more noticeable in that building than on the sidewalk at the property line. When President Newman asked if he would be willing to make another test from the adjacent building, Mr. MacDonough replied in the affirmative.

President Newman then asked if Mr. MacDonough would be willing to conduct sound tests at the site during the early morning hours. Mr. MacDonough replied in the affirmative, indicating that the hours between 2 and 4 a.m. would be the best hours for such tests.

Commissioner Porter asked if it would be possible to have representatives from the staff of the Department of City Planning and representatives from the neighborhood present at the test. Mr. MacDonough replied that the Department of Public Health was acting in this matter as an agent for the City Planning Commission and would be pleased to oblige the Commission in any request which it might make. He had intended to notify the Department of City Planning of the earlier tests; but the representative of Pets Unlimited had been adamant about the hour at which the test was to be conducted, and he had not been able to make contact with a representative of the Department of City Planning.

President Newman, noting that residents of the neighborhood were also concerned about odor emission and felt that adequate filters were not being provided, asked Mr. MacDonough if he was satisfied that the facility, as designed, would cause no odor problems. Mr. MacDonough replied that the facility would be operated under a permit issued by the Department of Public Health. Under the circumstances, it was assumed that the facility would be operated in a sanitary way so that there would be no odors inside the building; and, if odors were controlled within the building, no odors would be transmitted to the outside of the building.

Commissioner Fleishhacker asked why this matter had been brought before the Commission. Mr. Passmore replied that the issue before the Commission was whether the tests which had been conducted were adequately enough to justify approval of the Certificate of Occupancy for the building.

the city of Boston, and the surrounding country, from the first settlement of the Puritans in 1630, to the present time. The history is divided into three parts: the first part contains the history of the city from 1630 to 1700; the second part contains the history of the city from 1700 to 1780; and the third part contains the history of the city from 1780 to the present time.

The first part of the history, from 1630 to 1700, is the most interesting and important. It contains the story of the first settlement of the Puritans in 1630, and the growth of the city from a small village to a large town. It also contains the story of the first battle of the city, the Battle of the Clouds, in 1675, and the story of the first fire of the city, the Fire of 1676.

The second part of the history, from 1700 to 1780, is also very interesting and important. It contains the story of the city during the reign of King George the Third, and the story of the city during the American Revolution. It also contains the story of the city during the reign of King George the Fourth, and the story of the city during the reign of King William the Fourth.

The third part of the history, from 1780 to the present time, is the least interesting and important. It contains the story of the city during the reign of King George the Fourth, and the story of the city during the reign of King William the Fourth. It also contains the story of the city during the reign of King George the Fifth, and the story of the city during the reign of King Edward the Seventh.

President Newman remarked that residents of the neighborhood obviously felt that the tests were not adequate in two respects. The first was that no tests were conducted in the adjacent residential building; and the second was that the tests were conducted in the afternoon rather than during the early hours of the morning.

Mrs. Arthur Bloomfield stated that she had written a letter to the Commission relative to this matter on behalf of the Pacific Heights Neighborhood Council. While she acknowledged that she was not necessarily in possession of all of the facts pertaining to the issue, she was concerned that a determination should be made that the building will create no noise or odor problems before the Certificate of Occupancy is issued. It was her understanding that the Commission's action of April 24 contemplated that residents of the neighborhood would be notified of the test and that they would have an opportunity to review the results of the tests before the matter was again discussed by the Commission; and, since those procedures had not been followed, she felt that new tests should be conducted with proper notification.

John Louis Field, a resident of the neighborhood, stated that it appeared that fans without filters would blow odors from inside the building directly onto the sidewalk; and he felt that odor tests should be conducted at the site, also.

Sarah Narro, an attorney, represented Arthur Andreas, the spokesman for residents of the area. She explained that Mr. Andreas was out of town and was not able to attend the Commission's meeting. She emphasized that residents of the neighborhood had not been present at the tests only because they had not been notified of the tests and not because of any dereliction on their part. She remarked that bedroom windows in the adjacent residential building are on the property line; and, as a result, she felt that sound tests should have been conducted within that building.

Frederick Fields, 2502 Washington Street, stated that he was appalled that residents of the neighborhood had not been notified of the sound tests which had been conducted by the Department of Public Health; and he strongly urged the Commission to defer action on the matter until such time as residents of the neighborhood have had an opportunity to review the results of the tests with their own consultants.

Philip Rosenthal, 2533 Washington Street, remarked that the action taken by the Commission on April 24 had indicated that residents of the neighborhood would be permitted to request that

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a public hearing be held if they were not satisfied by the results of the test; and he felt that the present meeting did not satisfy that commitment since the item had not been included on the Commission's agenda. He requested that a public hearing be scheduled and that written notices be provided to residents of the neighborhood at least ten days in advance of the hearing.

Commissioner Porter stated that she had understood that the sound tests were to be made in the presence of representatives of the Department of City Planning and the neighborhood; and she also felt that sound tests should have been conducted within the adjacent residential building. Therefore, she moved that new tests be conducted between the hours of 2:00 a.m. and 4:00 a.m., that tests also be made within the adjacent residential building, and that residents of the neighborhood be advised of the time of the tests in advance. The motion was seconded by Commissioner Ritchie.

Commissioner Fleishhacker inquired about the feasibility of conducting odor tests at the site. Mr. MacDonough replied that odor is a very subjective sort of thing and indicated that no tests had been devised for the measurement of odor.

Mr. Field stated that the question was not whether odors would exist but whether odors would be transmitted from inside the building to the sidewalk area.

Mr. MacDonough stated that he was not aware of any scientific way to make such a determination.

Commissioner Fleishhacker asked if the resolution which had been adopted by the Commission in 1972 granting Conditional Use Authorization for Pets Unlimited had specified that the ventilation fans should contain filters. Mr. Passmore replied in the negative, indicating that the resolution had merely required that plans and specifications for the building alterations should comply with the requirements of the Department of Public Health bearing upon the emission of any offensive odor.

President Newman asked if the Department of Public Health had received complaints regarding odor emission at other kennels in San Francisco. Mr. MacDonough replied in the negative. He further remarked that he could not take any action relating to odor emission against Pets Unlimited until an offense has been committed. He indicated that the facility has been designed so that an odor free environment can be maintained; however, should any complaints arise regarding the emission of odors, the complaints would be investigated by his staff.

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President Newman recalled that the Commission would not have granted conditional use authorization for the subject facility in 1972 if it had felt that there was a likelihood that the use would create a nuisance in the neighborhood.

Commissioner Porter emphasized that the subject facility is not a principle permitted use in the subject neighborhood; and, in granting a conditional use authorization, the Commission can retain control over the use involved.

Neil Glerum, Vice President of Pets Unlimited, advised the Commission that his appearance was, in legal terms, a special appearance before the Commission; and he indicated that Pets Unlimited reserved all of its legal rights, consenting to no change in its buildings and without any waiver of any sort. He was present in a special capacity only to report on Pets Unlimited's position at the present time. He informed the Commission that there are filters in the air fans as shown in plans for remodeling the building; and he indicated that the filters had personally been shown to Mr. Steele of the staff of the Department of City Planning.

Mr. Steele stated that he did not recall having seen the filters.

Mr. Glerum then stated that it was not true that the sound tests had been made without prior notice being given to Mr. Steele.

Mr. MacDonough stated that he had not been able to reach Mr. Steele to advise him of the tests; and he had had to make a decision on his own to proceed with the tests without a representative of the Department of City Planning being present.

Mr. Glerum stated that the Commission's 1972 approval of the conditional use authorization had not been appealed; and, as a result, Pets Unlimited had purchased the property and had invested \$325,000 in the building. Counsel had advised them that they had thus established a vested property right in the conditional use authorization. He remarked that Condition No. 2 of the resolution adopted in 1972 did not specify that specific sound test should be made or that residents of the neighborhood should be consulted; the condition merely required that plans and specifications for the project should be certified by an acoustical engineer acceptable to the Department of City Planning. He stated that Pets Unlimited had submitted plans and specifications certified by a licensed acoustical engineer to the Department of City Planning; and those plans had been reviewed by the Department of Public Health with regard to their noise and odor

control features. After the plans had been reviewed and approved by both departments, a building permit had been issued. Construction work then began in the building but was halted for more than a month because the staff of the Department of City Planning felt that it might have made a mistake in issuing the building permit. While construction work continued, official city inspectors made periodic inspections of the premises. He stated that Pets Unlimited had spent \$180,000 to remodel the building in compliance with the building permit which had been issued; and, as a result, he felt that the organization had developed a vested right to use the building for the purpose intended. Under the circumstances, it was his opinion that a certificate of occupancy should have been issued as a matter of course. To his knowledge, no other veterinary hospital or clinic in San Francisco had experienced as much difficulty in obtaining official approval. He stated that sound tests had been made by Mr. Steele in February with some residents of the neighborhood present; and, although the interior sound level had reached 92 decibels, no sound could be heard outside the building. After several weeks had elapsed, Mr. Steele advised Mr. Ford of Pets Unlimited that a Certificate of Occupancy would be issued if Pets Unlimited would produce a certificate from a sound engineer attesting to the adequacy of the soundproofing in the building. Such a certificate was produced on March 14. That certificate was lost by the Department of City Planning; and, although another certificate was produced, the Certificate of Occupancy was not issued as promised. Mr. Steele then requested that sound tests be made by the Department of Public Health; but nothing came of that request. Finally, on April 24 Mr. Steele had requested the advice of the Commission. While he did not object to Mr. Steele asking the Commission for its advice, he felt that the motion which had been passed by the Commission on April 24 had substantially changed the nature of conditional use authorization which had previously been granted and the rights which Pets Unlimited had developed up to that point through the expenditure of almost \$1,000,000.

President Newman, noting that several dollar amounts had been mentioned by Mr. Glerum, asked for a clarification of the amount of money which had actually been spent on the project.

Mr. Glerum replied that Pets Unlimited had spent \$325,000 to purchase the property, \$180,000 to remodel the building, and a substantial amount of money for other purchases. Furthermore, Pets Unlimited had been deprived of use of the building since its completion last September. He stated that Pets Unlimited had done everything it had promised, had permitted two sound tests to be made, and had produced the certification of an acoustical engineer attesting to the acceptability of the soundproofing work which had been done in the building; and he felt

that Pets Unlimited should be permitted to occupy its building. The objections which were being raised by residents of the subject neighborhood were nothing more than objectives to the original granting of a conditional use authorization for the use; and the granting of that authorization had not been appealed during the prescribed appeal period.

Commissioner Rueda stated that he intended to vote against the motion since he felt that the only real test of the facility will depend on actual conditions after the facility is in operation. He emphasized that Condition 9 of the resolution which had been adopted by the Commission in 1972 would enable the Commission to revoke the conditional use authorization if problems should develop.

Commissioner Fleishhacker stated that he, also, intended to vote against the motion. He remarked that several months have elapsed since the building was completed; and he felt that the delay in issuing the Certificate of Occupancy was eroding Pets Unlimited's property rights. He believed that residents of the subject neighborhood would not be satisfied that the building is adequately soundproofed until the facility is actually in operation; and, in addition to the Commission's authority to revoke the conditional use authorization, he noted that the representative of the Department of Public Health had stated that that agency has the means to prevent a kennel from becoming a public nuisance.

Commissioner Ritchie stated that he wished to withdraw his second of the motion on the basis of the "extraordinary" statement which had been made by Mr. Glerum.

Commissioner Porter stated that she had voted against granting the conditional use authorization to Pets Unlimited in 1972; and, while she hoped that the facility would cause no problems for the neighborhood, she indicated that she had doubts about what will happen.

The motion was then seconded by Commissioner Miller.

President Newman stated that he felt that Pets Unlimited was being arbitrary in not permitting additional sound tests which could have laid the disputed issues to rest. Pets Unlimited had continued to approach the situation with hard-nosed combativeness, challenging residents of the neighborhood who have a real equity in trying to preserve the equality of their beautiful neighborhood. The Commission had granted Pets Unlimited a special privilege in approving the conditional use authorization for the proposed use; and he felt that Pets Unlimited had a moral, if not

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legal, commitment to cooperate with the Commission and residents of the neighborhood.

Commissioner Finn stated that he intended to join Commissioner Fleishhacker and Ritchie in voting against the motion. However, he emphasized that he had not found the results of the sound tests which had been completed by Pets Unlimited's consultant to be acceptable; and he indicated that he was relying on the sound tests which had been conducted by the Department of Public Health.

Tom Arnold, a consulting engineer for Pets Unlimited, stated that he had been very impressed with the competence of the Department of Public Health's inspector; and he felt that any additional sound tests which might be conducted by outside experts would just confuse the matter further.

President Newman observed that Mr. MacDonough had stated that he would have been more pleased with his own tests if they have been conducted during the early morning hours and if he had been able to make tests within the adjacent residential building.

When the question was called, the motion failed by a vote of 3-4. Commissioners Miller, Newman, and Porter voted "AYE"; Commissioners Finn, Fleishhacker, Ritchie, and Rueda voted "NO".

Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried 4-3 that the Zoning Administrator be instructed to approved a Certificate of Occupancy for the new Pets Unlimited facility at 2343 Fillmore Street. Commissioners Finn, Fleishhacker, Ritchie, and Rueda voted "AYE"; Commissioners Miller, Newman, and Porter voted "NO". Commissioners Rueda and Finn indicated that they would be prepared to vote in favor of revoking the Conditional Use Authorization for the facility if any problems should develop.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

/ SAN FRANCISCO
// CITY PLANNING COMMISSION

// Minutes of the Regular Meeting held Thursday, June 26, 1975.

The City Planning Commission met pursuant to notice on Thursday, June 26, 1975, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Dean L. Macris, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Joseph Fitzpatrick, Planner III; Edward Michael, Planner III; Wilbert Hardee, Planner III; Robert Meyers, Planner III-Transportation; Robert Feldman, Planner II; Ruth Friedlander, Planner II; Robin Jones, Planner II; Gary Craft, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Ralph Craib represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

1:00 P.M. - FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on July 3.

1:45 P. M. - 100 LARKIN STREET

CURRENT MATTERS

Dean L. Macris, Director of Planning, reported that Mayor Alioto had held two public hearings on community development and housing needs. Written summaries of the hearings will be prepared and will be made available to members of the Commission.

The Director informed the Commission that the draft Environmental Impact Report for the proposed Performing Arts Center will be available on July 11. A public hearing on the draft report is tentatively scheduled for August 14.

The Director advised the Commission that the Budget and Governmental Efficiency Committee of the Board of Supervisors had approved a neighborhood improvements project which will be funded with approximately \$250,000 of Community Development funds. The program is designed to foster small-scale

neighborhood improvements. The Director distributed a memorandum which described the type of projects which might be undertaken and the procedures to be followed by individuals and neighborhood groups in applying for the funds; and he summarized the memorandum as follows:

"Neighborhoods would be requested to submit proposals for improving their areas. Possible projects would include -

- "1) Street tree planting and landscaping of public property.
- "2) Street beautification, such as benches, trash receptacles and possibly special street lighting.
- "3) Play areas or sitting areas - particularly in already publicly owned land, such as school yards or library grounds.
- "4) Community garden.
- "5) Arts projects - murals, sculptures or fountains.

"Submissions will be made to the planning department. The department's staff will evaluate the submissions, with the Office of Community Development - and a recommendation will be made to the Mayor. In turn the Mayor will make recommendations to the Board of Supervisors.

"Needless to say, the Department will work closely with other Departments involved in making recommendations to the Mayor."

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

DISCUSSION OF COMMERCE & INDUSTRY BACKGROUND PAPER ON INDUSTRIAL TRENDS.
(POSTPONED FROM MEETING OF JUNE 19, 1975)

Gregory Oliver, Senior Economic Analyst of the Economic Analysis Unit, Office of the Mayor, summarized the report and responded to questions raised by members of the Commission. The report is available in the files of the Department of City Planning.

LM75.4 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE GEARY THEATER,
415 GEARY STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that he had received a letter from the attorney for the trust which owns the subject property requesting that the Commission's consideration of this matter be postponed pending settlement of litigation which is

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presently underway. He recommended that the request for postponement be granted and that the matter be readvertised for hearing when the court case has been settled. In reply to a question raised by Commissioner Fleishhacker, he stated that the Landmarks Preservation Advisory Board had incorrectly assumed that the litigation had been settled when it had taken action on the proposal.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Mellon, and carried unanimously that consideration of the proposal to designate the Geary Theater as a landmark be postponed indefinitely.

LM75.5 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE CALIFORNIA HISTORICAL SOCIETY BUILDING (WHITTIER MANSION), 2090 JACKSON STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), described the architectural and historic aspects of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark.

Virginia Gerhart, Assistant Director of the California Historical Society, spoke in support of the proposal to designate the building as a Landmark.

Commissioner Fleishhacker observed that the subject building is really too large for anyone to maintain as a single family dwelling; and he doubted that it would have been preserved if special permission had not been granted for the California Historical Society to maintain its offices in the building.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7343 be adopted and that the proposal to designate the California Historical Society building (Whittier Mansion) as a Landmark be approved.

DISCRETIONARY REVIEW OF BUILDING APPLICATION NO. 444298 FOR A FIVE YEAR TIME EXTENSION FOR A TRUCKING EQUIPMENT YARD AND BUILDING AT 445 HARNEY WAY (CANDLESTICK COVE).

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), reported on this matter as follows:

"In May 1970, acting under its power of discretionary review, the City Planning Commission considered a building permit filed by Chester C. Smith for construction of a warehouse on Harney Way near the county line. Although permitted under the existing M-1 zoning, the proposed use, a trucking company equipment yard and building, was not in conformity with the Master Plan for the area which had been recently adopted. (The building permit application was filed on February 16, 1970, and the South Bayshore Element of the Master

Plan was adopted on February 19, 1970). The Master Plan designates low-density residential and commercial uses for the Candlestick Cove area with public access along the shoreline. As this memorandum will detail, the commission ultimately granted approval of the permit for a period limited to five years.

"When the matter was first heard by the Commission on March 19, 1970, the Director pointed out that should the permit be approved, even though the property might subsequently be reclassified to a residential district (as proposed by the Master Plan) the use would, as a nonconforming industrial use, be permitted to remain for twenty years. The Director recommended that the permit be denied. Edward Molkenbuhr, attorney for the applicant, stated that he agreed with the Director that industrial use of the site over the next twenty years might delay effectuation of the Bay-shore Plan, but inasmuch as implementation of the plan would be impossible at a near date, he requested that his client be given permission to use his property as proposed for the time being. The matter was taken under advisement.

"On March 31, 1970, Mr. Steele and Mr. Passmore met with Mr. Smith, his attorney Mr. Molkenbuhr, and others interested in the development of the site. The immediate industrial use of the site was to be for storage and repair facilities for contractor's equipment used in connection with construction of the Hunter's Point Redevelopment Project. Staff explained Building Code provisions for a temporary building permit which could be issued for up to five-year period, and special zoning restrictions which could be recorded in the City Recorder's office by the applicant at the request of the Planning Commission stipulating an expiration date for any industrial use of a building on the subject property. Mr. Smith expressed a need to have a minimum of ten years to amortize his proposed structural additions to the subject property.

"The matter was again heard by the Commission on April 23, 1970. At that time the applicant formally requested approval for a ten-year period. The Director then offered his recommendation as follows:

'Realization of the Master Plan recommendations for non-industrial use of much of area in the vicinity of the subject parcel is expected within ten years. An industrial use of the subject parcel during that entire 10-year period would not be compatible with the residential and recreational development expected and desired. The industrial use of the property for any length of time will obviously prevent appropriate and desirable development of the water

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frontage of the subject block, and could deter other nearby properties from early development in conformity with the Master Plan.

'Changing the zoning classification of the subject property to conform with the Master Plan would make the proposed use non-conforming and subject to eventual termination. However, although a completely open non-conforming use has an amortization period of only five years, a non-conforming use involving an enclosed building as proposed in the subject application would have an amortization period of 20 years under applicable provisions of the Planning Code. If the applicant agreed, a shorter amortization period could be achieved through the recording of special restrictions in connection with the approval of a building permit application; however, the shorter time period acceptable to the applicant in this case would still not be compatible with the objectives of Master Plan. For these reasons I recommend disapproval of the proposed building permit application.'

"Mr. Molkenbuhr then stated that the urgency of the situation dictated acceptance of a five-year permit. The Commission then so moved and approved.

"After the fact of construction, required approval by the Bay Conservation and Development Commission was sought. BCDC approved the project also subject to a five-year limitation.

"The existing facility developed pursuant to the 1970 building application consists of a one story, eighteen foot high metal building enclosing 8400 square feet of area. About one fourth of the building is used for offices and the rest of the building contains storage facilities and a truck repair area large enough to accommodate three large trucks. The site has an area slightly less than 60,000 square feet. It is fenced with chain link fencing and accommodates 36 heavy duty dump trucks.

"Approval of permit application No. 380256 was given by the City Planning Commission on condition that notice of the temporary nature of the approval be recorded in the office of the County Recorder. After some delay, the Zoning Administrator recorded the required notice on April 23, 1973.

"In October of 1973, Assembly Bill 2468 was signed by the Governor authorizing the Department of Parks and Recreation to acquire and develop real property at Candlestick Point, for inclusion in the State Park System. The boundary for this project,

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subsequently approved by the Public Works Board, included all those lands below Harney Way and Jamestown Avenue extension, of which the Smith property is a part. Negotiated purchase of lands within the park area are now being made.

"The building permit granted by the Commission will expire on July 9, 1975, five years from the date of issuance by the Bureau of Building Inspection. On March 10, 1975, Smith filed a new building permit application requesting renewal for an additional five years.

"Community groups both in Bayview-Hunter's Point and the adjoining Visitation Valley area have expressed disapproval of continuance of the use. Concern both over the implementation of the Bayshore Plan as well as the more immediate issue of traffic generation were mentioned. According to Redevelopment Agency staff, Smith has completed his contracts on Hunter's Point Ridge and the focus of his work is no longer in the immediate area. Further it should be noted that over the past five years the staff has informally reviewed several preliminary plans for development of adjoining properties."

President Newman, noting that the Director had described plans for a proposed development at Candlestick Cove during the meeting of June 5, inquired about the site of that project relative to the property presently under consideration. Mr. Steele replied that the project which had previously been discussed would be located to the north of Harney Way whereas the subject property is located to the south of Harney Way.

President Newman then asked if continuation of the existing use on the subject site would have any effect on the new development being proposed. Mr. Steele replied that any development on the north side of Harney Way would overlook the subject site; and a storage yard for trucks and construction equipment might not be considered the most attractive neighboring use.

Commissioner Mellon asked if the subject property will be acquired by the State for the new park at Candlestick Point. Mr. Steele replied in the affirmative. He indicated, however, that Mr. Smith had either not made any effort or had been unsuccessful in finding a relocation site for his operation; and, as a result, enforcement of the July 9 expiration date originally established by the Commission would effectively put him out of business.

Commissioner Ritchie remarked that the subject property is isolated from residential areas; and he indicated that the site is presently occupied by an industry which provides jobs. Under the circumstances, he felt that the use should be allowed to continue until such time as the property is acquired by the State of California for development as a park.

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Edward Molkenbuhr, attorney for the applicant, stated that his client had originally requested a 10-year authorization for the use in order to amortize the building which he proposed to construct; and, when the Commission had limited the authorization to a 5-year period, there had been a tacit understanding that the authorization would be extended for an additional 5 years if no new development had occurred in the area. Although a new State park is to be developed in the area in the future, no other developments had occurred in the vicinity of the subject site during the past 5 years. If Mr. Smith were forced to abandon his use of the site on July 9, he would not be able to sell the property since it is scheduled for acquisition by the State; and, until such time as he is able to sell the property, he will not be in a position to afford to buy a new site. Therefore, his client would be "ham-strung". The obvious solution to the problem would be for the Commission to extend the authorization for 5 years or until such time as the property is acquired by the State. While residents of adjacent neighborhoods had complained about the use in the past, trucks traveling to and from the site have not been routed through residential areas since completion of the freeway underpass at Candlestick Park; and he was not aware of any recent complaints. If the property north of Harney Way is eventually developed, continued use of the subject property as a storage yard might be inappropriate; however, such development did not appear to be eminent.

Commissioner Fleishhacker remarked that the State would have to pay more for the property if authorization for the use were to be extended for 5 years and if the State wished to acquire the property prior to the new expiration date.

Mr. Molkenbuhr replied that the property is zoned M-1 and that it is being used in accordance with that zoning. Under the circumstances, he did not feel that it would be fair for the Commission to take away the value of the property by limiting its use.

Commissioner Fleishhacker observed that extension of the authorization which expires on July 9 would not be taking away anything from the applicant but would, in fact, be increasing the value of his property since the existing use would have to be abandoned on July 9 if the authorization were not extended.

Commissioner Porter remarked that the applicant's operation is one which is needed in the city. The use is already in existence; and the conduct of the operation has been remarkably improved since it was initiated. She questioned whether a relocation site is presently available in San Francisco; and, under the circumstances, she felt that the use should be permitted to continue until the property is acquired by the State.

Chester Smith, the applicant, stated that Commissioner Fleishhacker's remarks concerning the value of the property were valid in a certain sense; however, he observed that the Commission could have rezoned the subject pro-

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perty for residential use in accordance with policies of the South Bayshore plan but had instead allowed the property to retain its industrial zoning. Therefore, he felt that continuation of the industrial use would be appropriate until the property is acquired for park purposes. While any new development on the north side of Harney Way would face his property, he emphasized that his property is extremely well kept and that it looks a great deal better than it did before the current use was initiated. Furthermore, while the only access to the site 5 years ago was by way of Jamestown Avenue and Blanken Avenue, the new freeway cloverleaf for Candlestick Park has provided access to the site without the necessity of utilizing streets in a residential neighborhood. Blanken Avenue is now a restricted street; and trucks belonging to his firm do not use it. He stated that his trucks do not pass a single residential building; and he remarked that the subject property is visible from no more than one single family house.

Betty Parshall, a member of the Planning and Public Policy Committee of the All Peoples' Coalition, read and submitted the following statement:

"All Peoples' Coalition is a federation of 33 church, labor and civic organizations in the Visitacion Valley/Sunnydale area of San Francisco. Since 1972 we have been the primary voice in our community seeking improvements in transportation, education, housing, recreation, community maintenance and general public policy.

"I am here today to express A.P.C.'s opposition to an extension of the building permit for Chet Smith. In a letter to this Commission a few weeks ago the All Peoples' Coalition affirmed its support for the Master Plan for the Candlestick Cove area. In that same letter, we asked that this entire area be rezoned R-1 in accordance with the Master Plan. That is still our position and we urge this Commission to move towards residential and open space use of the land in the Candlestick Cove area.

"It was the unanimous opinion of our committee that no permit should be granted to Chet Smith beyond a temporary one year that will enable him to satisfactorily conclude his operations at his current location. The All Peoples' Coalition recommends one year for that purpose. Any time beyond that will be considered an imposition by the residents of Visitacion Valley. People in our community feel that Chet Smith has had ample time under his present permit to conduct his operations. Please deny any request for an extension that goes beyond the necessary one year period to close his operations."

Commissioner Fleishhacker asked why the All Peoples' Coalition had taken the position which had been conveyed by Ms. Parshall. Ms. Parshall replied that the members of her organization want as much open space and single

family development in the subject neighborhood as possible; and they viewed the continued use of the subject site for industrial purposes as a "road block" to that objective. The residents of Little Hollywood had expressed the most concern about the proposed extension of the authorization for the use and had contended that some trucks still use Blanken Avenue for access to the site although the situation is not as bad as it was in the past.

Commissioner Fleishhacker recalled that the residents of Little Hollywood had at one time been opposed to use of the property at Candlestick Cove for housing. Ms. Parshall replied that residents of the neighborhood had been opposed to construction of low-cost housing in the area.

Commissioner Porter, noting that the All Peoples' Coalition supported acquisition of the subject property for park use, asked why they had requested that the property be rezoned to R-1. Ms. Parshall replied that the park would not use all of the property at Candlestick Cove; and she indicated that Little Hollywood would favor development of the remainder of the property with single family houses comparable to those which already exist in the area.

Commissioner Finn remarked that the proper zoning for any property eventually acquired for park use would be P and not R-1. He further indicated that he was concerned about the issue of equity as it related to the applicant on one hand and the tax payer on the other; and he felt that any action taken by the Commission should be constructed so that the subject property would have no more value when it is acquired by the State than it has at the present time.

Dean L. Macris, Director of Planning, pointed out that the applicant had clearly been aware that the authorization previously granted by the Commission was to expire at the end of 5 years. However, since the applicant had not yet acquired a relocation site, he felt that the Commission should allow him a reasonable time to relocate the use; and, at the same time, he felt that the Commission should emphasize that the use is not in conformity with the Master Plan and that it should ultimately be discontinued.

Commissioner Porter asked if the staff of the Department of City Planning had been in touch with the appropriate State agency to determine when the property will be acquired. The Director replied that the State, being protective of its own interests, was unwilling to commit itself to a specific schedule.

Commissioner Porter then remarked that the applicant's industrial use is obviously one which is needed in San Francisco; and she asked if the staff could recommend any appropriate site for relocation of the use. Dean L. Macris, Director of Planning, replied in the negative but indicated that both the staff of the Department of City Planning and the Mayor's Office of Economic Development would be prepared to assist the applicant in finding a suitable site.

No one else was present to speak in support of or in opposition to the applicant's proposal.

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Mr. Steele read the staff's recommendation on this matter, as follows:

"As was noted when this case was previously before the Commission, the appearance and activity resulting from a truck storage and repair facility makes it difficult to encourage development of adjoining land in a manner conforming to the Comprehensive Plan.

"Additionally, just as important, experience with the existing facility has shown that its operation has resulted in detrimental heavy truck traffic through an otherwise quiet single-family residential neighborhood.

"Eventually the State will purchase the subject site as part of the Waterfront Park; however the date of that acquisition is not certain.

"The Commission intended that the subject use should continue for only a five year period, but the applicant apparently has not attempted to find a relocation site. Strict enforcement of the five year limitation could result in virtual stoppage of the applicant's trucking business.

"In order to allow the applicant legally to continue his business while seeking a new site and relocating, I recommend that the subject application be approved for a maximum of 18 months, and that notice of said limitation be recorded on the land records in the County Recorder's Office in a manner approved by the Zoning Administrator. Additionally, it would be appropriate for the applicant to report to the Commission concerning his relocation no later than July 9, 1976. A resolution that would effect this recommendation has been prepared for your convenience."

Mr. Molkenbuhr stated that the recommendation for an 18-month extension of the use was unacceptable since his client would not be able to purchase an alternate site if the subject property is not acquired by the State within the 18-month period.

The Director remarked that the matter could be reviewed by the Commission again if acquisition of the property by the State is delayed.

Commissioner Rueda remarked that the date of acquisition of the property by the State is indefinite; and he felt that the Commission should establish a definite time limit for the subject use.

Commissioner Porter stated that the present appearance of the subject property is much better than it was in the past; and the existing use is not detrimental to the surrounding neighborhood. Under the circumstances, she felt that the use should be permitted to continue until such time as the property is acquired by the State.

The Director remarked that it is very difficult to take an action contingent upon action by another agency; and he felt that the Commission should designate a specific date by which time it would expect that the property will have been acquired and the existing use discontinued.

Commissioner Ritchie moved that the authorization for the use be extended until such time as the property is acquired by the State with a provision that the authorization would not exceed a period of 5 years.

Commissioner Finn noted that there is a distinction between an indefinite date and a contingent date; and he felt that tying the expiration of the authorization to acquisition of the property by the State would protect the tax payers against paying an excessive price for the property while being as fair as possible to Mr. Smith.

Commissioner Fleishhacker asked if any agreement had been reached with the State regarding the purchase price of the property. Mr. Molkenbuhr replied in the negative. He stated that other property owners in the area had wanted to join together in a legal action to force the State to proceed with the acquisition; but he had been reluctant to participate in that action because his client would have no place to move if his property were sold.

Commissioner Finn seconded the motion which had been made by Commissioner Ritchie.

Commissioner Mellon estimated that the State will require approximately 2 years to acquire the property; and, under the circumstances, he felt that extension of the authorization for the existing use of the property for a period of 3 years would be fair and equitable for everyone concerned. He then moved that the motion be amended to provide that the authorization for the existing use be extended for 3 years. The amended motion was seconded by Commissioner Rueda.

President Newman stated that he was concerned about the fact that a 3-year extension would inflate the value of the property if it were to be acquired by the State in the near future.

Commissioner Ritchie remarked that the State had already made a valuation of the property; and he did not feel that approval of the 3-year extension would significantly affect the value of the site.

Commissioner Miller agreed, noting that the authorization being extended was for a restricted use.

Commissioner Finn remarked that public agencies involved in condemnation proceedings often ask for immediate possession of the properties being acquired; however, if the State were not prepared to proceed with development of the proposed park when the property is acquired, the property could be leased to the present owner on a month to month basis.

President Newman felt that it would be preferable for the Commission to act in such a way that the authorization is extended for 3 years or until the property is acquired by the State if the acquisition should occur prior to the expiration of the 3-year period.

Commissioner Mellon stated that he had purposely excluded the acquisition date from his motion since he did not wish to tie the Commission's action to the action of another public agency.

Commissioner Fleishhacker remarked that the Commission was considering a building permit application and not a conditional use application; and he questioned whether a building permit application could be approved for an indefinite period of time.

The Director stated that the staff of the Department of City Planning had recommended that the authorization for the use be extended for 18 months because the staff had felt that the property would probably be acquired by the State within that time and because it appeared that such an extension would provide the applicant with a reasonable amount of time to relocate his operations to another site. If the Commission felt that a 3-year extension would be more reasonable than an 18-month extension, he would not object; but he did feel that a specific time limit should be established and that the duration of the extension should not be indefinite.

Commissioner Rueda indicated his belief that should a three year extension be approved, there would appear to be no need for any further extension of the use at its present location.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7344 and to approve a 3-year extension for the trucking equipment yard and building at 445 Harney Way.

At 3:35 p.m., President Newman announced a 5-minute recess. The Commission reconvened at 3:40 p.m. and proceeded with hearing of the remainder of the agenda. Commissioner Rueda was absent for the remainder of the meeting.

STATUS REPORT ON WATERFRONT PLANNING.

Dean L. Macris, Director of Planning, and George A. Williams, Assistant Director-Plans and Programs, presented and summarized a status report on Northern Waterfront Improvements. The report is available in the files of the Department of City Planning. During the course of the presentation, Mr. Macris, Mr. Williams, and John Williams, representative of the Port Commission, responded to questions which were raised by members of the Commission. The Director indicated that the progress report would be presented to the Port Commission at its next meeting on July 8. Members of the audience who were present during the presentation and discussion indicated that they would prefer to defer their comments on the report.

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The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

